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MAR 20 2001

**FEDERAL COMMUNICATIONS COMMISSION
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March 20, 2001

EDWARD W. HUMMERS, JR.
202-457-7145

Internet Address:
ehummers@hklaw.com

VIA HAND DELIVERY

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
The Portals, 445 Twelfth Street, S.W.
Room TW- A325
Washington, DC 20554

Re: Experimental Radio Service
File No. 0324-EX-PL-1999

Dear Secretary Salas:

Transmitted herewith on behalf of Harris Corporation, are an original and four copies of a Petition for Reconsideration of the dismissal of the above referenced application by the Experimental Licensing Branch, Electromagnetic Compatibility Division, Office of Engineering and Technology.

Should any questions arise concerning this matter, please advise the undersigned.

Very truly yours,



Edward W. Hummers, Jr.
Counsel for
Harris Corporation

Enclosure

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MAR 20 2001

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In re Application of) Experimental Radio Service
Harris Corporation) File No. 0324-EX-PL-1999
)

To: Experimental Licensing Branch
Electromagnetic Compatibility Division
Office of Engineering and Technology

PETITION FOR RECONSIDERATION

Comes now Harris Corporation, by counsel¹, pursuant to Section 1.106 of the rules, 47 C.F.R. § 1.106, to seek reconsideration of the February 20, 2001 letter of the Experimental Licensing Branch, Electromagnetic Compatibility Division, Office of Engineering and Technology, which dismissed the above referenced application for renewal and modification of Experimental Radio Station WA2XDO (the "Application"). In support of this petition, the following is stated:

1. The Application was dismissed because of the failure of the applicant to obtain Federal Aviation Administration clearance of the frequencies requested in the Application. The FAA, pursuant to Aeronautical Study No. 00-AEA-3153-OE, issued a Determination of No Hazard to Air Navigation on September 5, 2000. However, the Determination incorrectly stated that the facility was a "receive only"

¹ Holland & Knight LLP has replaced Fletcher, Heald & Hildreth, P.L.C. as counsel for Harris Corporation.

site. Counsel believes that the FAA was advised by prior counsel that the site was a transmitting operation and the frequencies upon which WA2XDO operates were forwarded to the FAA. Unfortunately, the FAA apparently has not conducted the required frequency analysis and apparently believed that the issued Determination was adequate.

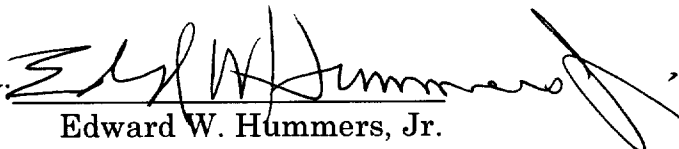
2. To resolve the matter, counsel for Harris has this day spoken with Mr. Robert P. Alexander, Specialist, Airspace Branch, and requested that the operating frequencies for WA2XDO be studied and that a revised Determination be issued. A copy of the WA2XDO license was forwarded to Mr. Alexander. Copy of letter attached. In a subsequent telephone conversation, Mr. Alexander advised counsel that the matter has to be coordinated with Mr. Dennis Eng of the FAA Eastern Region. Mr. Eng has advised counsel that the proposed frequency 112.45 MHz is clear but that counsel must contact FAA Headquarters to determine the process for clearing proposed frequencies 136.125 –136.8 MHz. Counsel has communicated with FAA Headquarters and is attempting to determine the frequency clearance procedure required by the FAA.

3. The pendency of the Harris application does not disadvantage any other party and the resources of the Commission and Harris Corporation will be better preserved by the granting of this petition for reconsideration to provide a reasonable period of time for the FAA to respond to the Harris request to clear the use of the requested frequencies. Once the required clearance is received, Harris

will so advise the Commission and the processing of the pending application may be completed.

Respectfully submitted,

Harris Corporation

By: 
Edward W. Hummers, Jr.
Its Attorney

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March 20, 2001

WAS1 #929421 v1

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March 20, 2001

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By Telecopier 718-995-5693

Mr. Robert P. Alexander
Specialist Airspace Branch
Federal Aviation Administration
Eastern Region, AEA-520
1 Aviation Plaza
Jamaica, NY 11434-4809

Re: Aeronautical Study No. 00-AEA-3153-OE

Dear Mr. Alexander:

Pursuant to our telephone conversation of this morning, I am attaching a copy of the FCC Experimental License for Station WA2XDO issued to Harris Corporation which lists the frequencies upon which the station operates. The FCC advises that Harris must obtain an FAA Determination of No Hazard which clears the use of the licensed frequencies in order for the FCC to grant a renewal of the experimental license.

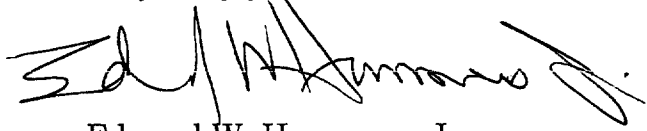
Please issue a revised determination and forward a copy to this office by facsimile at the number set forth above and to:

Mr. John Tolomay
Harris Corporation
RF Communications Division
1680 University Avenue
Rochester, NY 14610
FAX 716-242-3281

Mr. Robert P. Alexander
March 20, 2001
Page 2

Please note that this firm now represents Harris Corporation with regard to this matter. Should you have any questions, please do not hesitate to call me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ed W. Hummers, Jr.", written in a cursive style.

Edward W. Hummers, Jr.
Counsel for Harris Corporation

cc: John Tolomay, via facsimile

WAS1 #929417 v1