



BP West Coast Products LLC
Cherry Point Refinery
4519 Grandview Road
Blaine, WA 98230

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Rick E. Porter
Business Unit Leader

May 22, 2006

The Honorable Kevin J. Martin, Chairman
Federal Communications Commission
Office of Engineering Technology
445 12th Street SW
Washington, DC 20554

Re: ET Docket 06-103

Dear Chairman Martin:

At BP Cherry Point Refinery, personnel and process safety have always been at the core of how we operate our business. When we realized that we could potentially improve procedures for personnel accounting during emergencies by using RFID, we decided to work closely with RFID manufacturers to adapt the technology to the refinery environment and hosted the technology development on our site. After 15 months of collaboration, we believe we have developed a system that can fully automate personnel accounting and dramatically improve safety by using MSSSI's new ultra wideband (UWB) technology.

The application improves safety and enhances compliance primarily in two ways. First and foremost, it provides fully automated personnel accounting during an evacuation and allows us to know where our staff are in real-time. The new system is a step-change compared to the manual, roster-based procedure the industry currently employs and enhances compliance with the Occupational Safety and Health Administration (OSHA) Emergency Planning and Response Regulation (29 CFR 1910.38(c)(4)) that requires facilities to have procedures in place to account for all staff. Knowing where people are also eliminates unnecessary sweeps and significantly reduces the risk to emergency responders in an evacuation. Second, the system can also be used for monitoring access to areas that can only be entered by authorized personnel. Indeed, locating of personnel to protect them from the hazards of entry into permit-required confined spaces is also mandated by the OSHA (29 CFR 1910.146(f)(4)).

Until recently, it has not been possible to accurately locate people in a refinery environment. After extensive testing and evaluation by BP, MSSSI's ultra wideband (UWB) based tracking solution was found to be capable of providing accurate, real-time personnel location within the dense metallic environment of a refinery. Over the course of the past year, BP and MSSSI have worked closely together to instrument a real-time tracking capability at BP's Cherry Point Refinery in the state of Washington. Cherry Point Refinery is designed to process Alaska North Slope crude, and is the largest in Washington state with over 230 thousand barrels processed every day. The refinery is laid out on about one square mile, with the total property owned at 3.75 square miles (2400 acres).

In order to adequately cover an area the size of Cherry Point, BP requested and was granted an Experimental License from the FCC to utilize a higher power UWB tag manufactured by MSSSI. These experiments clearly demonstrated that, with the higher power tags, infrastructure costs could be minimized while maintaining reliable tracking coverage. Furthermore, our experiments verified that

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The Honorable Kevin J. Martin, Chairman
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these higher power UWB tags, operating in the 6 GHz band, did not cause any interference to existing wireless infrastructure (e.g., on-site 802.11 networks) or other systems.

BP has reviewed the Request for Waiver submitted by MSSSI in the above referenced docket, and strongly recommends that the FCC permit the use of higher power tags as requested. As indicated above, the extensive experience obtained with MSSSI's higher power UWB tags has demonstrated that such devices can be operated without any adverse effects to co-located electronics or other systems. Furthermore, the higher power devices have been shown to permit the reliable operation of real-time, and highly accurate, personnel tracking even in the dense metallic environments of a refinery. Finally, MSSSI's UWB tags (both FCC Part 15 and higher power versions) are the only active tags available which meet UL1604 requirements for use in hazardous environments.

Please do not hesitate to contact me if you should need any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick E. Porter", written over a horizontal line.

Rick E. Porter

cc: Mr. Julius Knapp, Deputy Chief, FCC OET
Mr. John Reed, Sr. Engineer, FCC OET