

REQUEST FOR PERMANENT EXPERIMENTAL AUTHORITY

Proxim, Inc. ("Proxim") herein seeks permanent experimental authority to continue the testing of a new line of equipment -- previously authorized by the Commission under Special Temporary Authority (STA)¹ -- in the 3400-3600 MHz band. The circumstances under which Proxim sought STA are the same as those that prompt it now to seek permanent authority. Proxim maintains that it seeks the instant authority for the purpose of designing radio equipment for export only to be employed by stations used exclusively in international markets. Because it does not have overseas development facilities, Proxim must test its equipment for international users at its California facilities.

The OET authorized Proxim to begin demonstration of its WiMax system, which it has been designing and needed to utilize in active test environments. Proxim remains at a critical stage for the development of its new equipment and, based on the success of its initial testing, it is submitting the instant request for permanent experimental authority to continue the program.

The technical details of Proxim's operations are essentially identical to those outlined in its STA request. The operation consists of up to ten (10) base units at various locations in California in order to supplement Proxim's development of its program for the WiMax devices. The coordinates identified are centerpoints associated with Proxim labs and affiliated base station locations. As part of its ongoing testing, Proxim activates its testing devices at various times and locations within the test area. These devices consist of temporary-fixed base units, at and around the four areas identified in the succeeding portions of this application, operated in order to demonstrate their functionality and to gain valuable testing information for implementation as Proxim considers its final product.

Proxim is seeking the instant request to continue its operations under experimental rules because the scope and duration of its proposed operations only permit to be authorized under Part 5 of the Commission's rules and, furthermore, because the units being tested in the instant program would ultimately be exported to international markets. Operation of the subject facilities is thus not permitted under the procedures set forth under the testing authority in Part 15 of the Commission's rules.

The instant request for continuation of Proxim's testing under permanent experimental authority is supported by good cause. Proxim is developing new wireless data communications devices, which it intends to manufacture and

¹ File No. 0634-EX-ST-2005.

distribute to international users. Based on the success of its pilot program for which the OET initially issued it STA authority, Proxim believes that it will benefit from much more comprehensive demonstration and testing of the equipment before bringing those devices to full-scale production. At present, Proxim is committed to at least 24 months of additional testing and development, and thus requests permanent experimental authority to continue operation of the devices in order to achieve the maximum efficient use of radio spectrum.

Likewise, Proxim accepts the conditions applied to its STA grant, which conditions are likely to be applied as well to the ultimate grant of its application for permanent authority, namely:

- Proxim is aware that the Federal government operates high power radars in this band and thus accepts any interference that may occur to its devices from those radars.
- Proxim acknowledges that no WiMax equipment will be permitted for U.S. use in the band 3300-3650 MHz and thus is not developing equipment in that band for sales in the U.S.

Proxim herein respectfully requests that the OET process its request for permanent authority on the basis of the details contained herein. Additionally, Proxim submits that the OET already determined that the operation of these devices for testing and design was in the public interest, by virtue of the issuance of the original STA authorizing Proxim to commence its research, and thus the instant request is likewise intended to serve the public interest as Proxim expands its pilot program.