

SAFETY CAST.



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July 30, 2003

Edmond J. Thomas, Chief
Office of Engineering and Technology
Federal Communications Commission
445 12th Street, S.W. – 7th Floor
Washington, DC 20554

VIA FACSIMILE, email, and/or U.S. Mail

RE: File No. 0183-EX-ST-2003

Dear Mr. Thomas:

Thank you for your letter dated July 29, 2003 regarding our application for a Special Temporary Authority (STA) in the Experimental Radio Service (File No. 0183-EX-ST-2003). It is our understanding that your office dismissed our application without prejudice. The Safety Cast Corporation will follow your recommendation and file an application pursuant to Part 74 of the Commission's rules with the Media Bureau's Audio Division.

Subsequent to receiving Public Notice, DA 03-2109 (dated June 30, 2003) and prior to receiving yesterday's letter, Safety Cast prepared a formal document according to *ex parte* "permit-but-disclose" proceeding as outlined in Section 1.1206 (b) of the rules. Frankly, we were most anxious to provide "our side" of the story and use our presentation to aid the Commission, broadcast engineers, and other interested parties in understanding our revolutionary technology, and the impact it will have on localized public warning.

We prepared a formal document addressing the "Informal Objections" or comments your office received related to our original application (up to and inclusive of this date). Our entire submission, including letters, testimonials, and news articles is available upon request. A summary of our document is as follows:

On April 18, 2003, the Safety Cast Corporation filed an application for a Special Temporary Authorization (STA) in the Experimental Radio Service for the purposes of field testing its technology that uses an extremely low power, non-commercial transmitter to broadcast "All Hazard" alerts, AMBER Alerts, and/or emergency alert messages from authorized public entity vehicles (Police, Fire/Rescue, etc.). The Safety Cast signals are designed to be received within a distance of less than 1050 feet (from the transmitter) throughout the FM radio band (88.1 – 107.9 MHz).

The STA was originally GRANTED on June 11, 2003 for the expressed Purpose of Operation to... "test, development and demonstration of non-commercial FM transmitters for emergency alerts" within Jacksonville (Duval County), FL. Operation is limited to 25 transmitters."

*Post Grant Doc
"Safety Cast Response (July 30, 03)"*

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On June 13, 2003 the Safety Cast Corporation received notification that the STA was "returned to Pending Status" after correspondence to the FCC from William D. Fawcett, Director of Engineering, James Madison University who objected to Safety Cast's application based upon the technology's "...lack of technical merit, possible interference to 'Repeater Sites', potential interference to the Emergency Alert System (EAS), and concerns regarding the AMBER Alert System." (As mentioned previously, Public Notice DA 03-2109 followed on June 30th.)

A separate email was sent to the FCC by Richard Rudman (speaking as an individual) on June 16, 2003. We addressed his comments in the body of our prepared submission.

Our document was divided into several important sections. First and foremost, we responded to Mr. Fawcett's technical concerns directly. Each of his objections and concerns (where valid) were addressed. We acknowledged the remote possibility for EAS interruption outlined by Mr. Fawcett; and have eliminated all probability of that occurrence technologically.

Where Mr. Fawcett's comments are found to be without merit, they were summarily dismissed with appropriate explanation. Our responses were prepared by Safety Cast's Senior Technical Staff including Andrew L. Smith, Chief Scientist, and L. Kevin Cook, Chief Technology Officer both highly qualified Electronic Engineers.

Subsequently, but equally as important, we addressed the "State of the Industry" and highlighted various governmental agencies and authorities whose general consensus acknowledge the urgent need to improve our nation's "public warning" systems.

As an example, on May 28, 2003, in an address to members of the Media Security and Reliability Council (MSRC) during their biannual meeting, your Chairman Michael Powell stated "...making sure that people receive urgent information that is timely and accurate, is truly a lifesaving service that warrants our utmost attention and support."

The "Emergency Warning Act of 2003", one of several pieces of legislation that address the need for public warning, was introduced to the U.S. Senate in January 2003 by Senators Edwards and Hollings. The proposed bill (S-118) states in part "...the Secretary of Commerce and the Secretary of Homeland Security, working in coordination with the appropriate Federal Agencies shall establish comprehensive national standards and systems for providing effective public warnings." In S-118 the term "effective public warning" means "...practical, comprehensive, and timely information given to all individuals threatened by an all-hazard event sufficient to enable them to protect their safety and well-being in a timely manner."

The Safety Cast Corporation has worked diligently to develop an "All Hazard" alert technology that is a small, but important component of the nation's public warning system. It is as unobtrusive as possible and, as evidenced by several testimonial letters, and as illustrated in a recent article (and reader poll) in the Reading (PA) Eagle (July 28, 2003), it is acceptable to the radio broadcasting

SAFETY CAST. / advertising community as a whole. Broadcaster / Advertiser acceptance of Safety Cast's emergency alert capability is especially true when implemented with a "Listen to the radio...it might save your life" P/R campaign.

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Safety Cast's revolutionary transmitter technology is unlike any that you may have reviewed previously. When properly deployed in authorized vehicles, it becomes a localized, but extremely vital part of our nation's Public Warning System. Our technology focuses on delivering "All Hazard" warning messages to only those who need to know through standard radios, at no additional cost to the consumer.

As mentioned in CFR Title 47 Part 15.7 "...the Commission will, in exceptional situations, consider an individual application...to operate an incidental, intentional or unintentional radiation device not conforming...where it can be shown that the proposed operation would be in the public interest..."

Recognizing the nation's immediate need for certain components of an "All Hazard" alert system, we appreciate, and will continue to seek, the advice, guidance, and recommendations the Commission continues to provide us. As you suggested, we will submit our new application for approval of our technology through the Commission's Media Bureau.

Thank you again for your all of your efforts and ongoing assistance. We are delighted to work with the FCC in partnership with the broadcasting community, to fill this most important gap in our nation's public alert system.

Sincerely,

Mark Foss
President & CEO

cc: Senator Graham
Senator Nelson
Congressman Crenshaw
Congressman C. Weldon
James Burtle
James Dailey
Peduzzi Assoc. LTD.
William D. Fawcett
Richard Rudman
L. Kevin Cook
Robin H. Wilson
Andrew L. Smith
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