

Vesper Marine (in conjunction with New York Power Authority)
Application for Special Temporary Authority
Application File Number 0633-EX-ST-2017
Narrative Explanation of Status of Experimental Operation

Vesper Marine has developed a range of AIS Aid to Navigation (AtoN) products used to mark hazards and points of interest on the water. Its latest product offering, the VAB1252 is a Type 3 AIS AtoN. This device has been the subject of testing and demonstrations pursuant to Special Temporary Authority (see 0299-EX-ST-2016, WJ9XNP) for purposes of proof-of-concept and proof-of-design and marketability of the device. Further testing and gathering feedback from other AIS users is necessary for an additional six-month period.

On September 1, 2016, counsel for Vesper Marine filed an application for Special Temporary authorization to continue the course of testing of this device in situ. See, 1308-EX-ST-2016. On September 13, 2016 the Acting Chief, Experimental Licensing Branch issued a letter to Vesper Marine dismissing this application (without prejudice), stating that the Commission was unable to grant the application because the U.S. Coast Guard objected on the basis that previous testing pursuant to the 0299-EX-ST-2016 STA was completed, and that further tests should go through the USCG Private Aid to Navigation/FCC AIS ATON process (per Mr. Jorge Arroyo, COMDT, CG-NAV-3).

Further correspondence between Vesper Marine and Mr. Arroyo subsequent to this, and further discussions between Wireless Bureau staff and Mr. Arroyo led Vesper Marine to conclude that the Coast Guard had no residual concerns, and it again refiled the request for Special Temporary Authority to continue the course of testing of this device (See, 1605-EX-ST-2016, filed November 8, 2016. However, apparently there was a miscommunication because Vesper Marine was unable to obtain the Coast Guard's consent to that application as well. The Commission dismissed 1605-EX-ST-2016 without prejudice on April 28, 2017 by letter of the Chief, Experimental Licensing Branch.

Now, once again, it is Vesper's view that there has been obtained an agreement that the Coast Guard no longer objects to the reinstatement of this STA for the purposes of resumption of the course of testing. It is urgent to resume these tests at the earliest possible time and thus to grant the instant STA.

Kindly address all correspondence concerning this matter to the undersigned, counsel for Vesper Marine.

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