

Vesper Marine (in conjunction with New York Power Authority)
Application for Special Temporary Authority
Application File Number 1605-EX-ST-2016
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 has resulted in agreement that the concerns expressed by Mr. Arroyo have been addressed and that Mr. Arroyo no longer objects to the reinstatement of this STA for the purposes of resumption of the course of testing. The tests in fact were not completed but have been stopped due to the expiration of the former STA. It is urgent to resume these tests at the earliest possible time and thus to reinstate the prior STA.