

LAW OFFICES
MULTINATIONAL LEGAL SERVICES, P. C.
11 DUPONT CIRCLE
WASHINGTON, D. C. 20036
(202) 797-7124
TELECOPIER (202) 939-6969
TELEX 499 3870 MBS UI

ORIGINAL

341 5961980

Temp

November 13, 1995

DELIVERY VIA FEDERAL EXPRESS TO MELLON BANK

Federal Communications Commission
Experimental Radio Services
P.O. Box 358320
Pittsburgh, Pennsylvania 15251-5320

Re: FCC Form 442
Application for Experimental Station Authorization
Xetel Corporation
Fee Code EAE

to TN:
KB2XEN
ah SAAB
Kellie

To Whom It May Concern:

We tender the original and four (4) copies of the FCC Form 442 application of the Xetel Corporation ("Xetel") for an Experimental Station Authorization for low-power microwave devices. The devices in question are contactless gauges designed by TN Technologies Inc. of Round Rock, Texas to detect the heights of fluid columns in industrial tanks. Xetel intends to conduct quality-assurance tests at its complex in Austin, Texas, as specified in this application. Because these units are ultimately intended for unlicensed operation under Part 15 or Part 18 of the Rules, Xetel has omitted specific means for station identification. Xetel requests exemption from the need for these units to identify themselves pursuant to Section 5.152 of the Rules. Xetel agrees to operate these units consistent with the general limitations on use set forth in Section 5.151.

We enclose with the FCC Form 442: relevant exhibits; a completed FCC Form 159 Remittance Advice; and a \$45.00 check payable to the Commission to defray the requisite filing fee. Please direct any questions about this filing to this office.

Respectfully submitted,

J. J. McVeigh

John Joseph McVeigh

240
2500-1000

Enclosures
1001-4

LAW OFFICES
BERNSTEIN AND McVEIGH
SUITE 700
1818 N STREET, N.W.
WASHINGTON, D.C. 20036

(202) 296-1800
(202) 331-7050
FAX: (202) 331-9306

March 13, 1996

JOHN J. McVEIGH

**ORIGINAL
RECEIVED**

MAR 13 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY
LAWRENCE BERNSTEIN

William F. Caton,
Acting Secretary
Federal Communications Commission
1919 M Street Northwest, Room 222
Washington, D.C. 20554

Re: FCC Form 442
Application for New Experimental License
Xetel Corporation
File No. 5028-EX-PL-95

Dear Mr. Caton:

The FCC staff has raised certain questions concerning the operation proposed in the instant application. The application seeks a license for the testing, under contract to TN Technologies Inc., of commercial and prototype equipment that may ultimately be used as licensed Part 90F radiolocation transmitters or as unlicensed devices under Part 15 or Part 18 of the Rules. Among the issues the staff has raised are the frequency band specified and emissions levels in what § 15.205 deems to be forbidden bands for field-disturbance sensors. This letter will seek to address those issues.

24. J. Reed
Encl. Proceeding to 415 HFD 662 415 HFD 611
The devices in question are used to measure the heights of fluid columns in industrial tanks. In a proceeding pending before the Commission, we are seeking recognition of the Part 18 status of such devices. In the interim, we have voluntarily type accepted the devices as radiolocation transmitters, and purchasers obtain licenses under Part 90F. We may ultimately seek Part 15 certification for this class of devices, upon demonstration of compliance with Part 15 standards. However, the devices clearly comply with Part 90 standards and with Part 18 standards. Hence, for the purposes of this application, the "forbidden bands" provisions of § 15.203 do not bar a grant.

The instant application specifies an operating frequency range consistent with the frequency range specified in type acceptances granted to TN Technologies Inc. or to a related company. See, for example, File Nos. LJE1220-1420-1620 (0.5 watts r.f. output, frequency range 9300 through 10700 MHz); LJE1430 (frequency range 9400 through 10700 MHz); MCO1220-1420-1620 (0.5 watts r.f. output, frequency range 9300 through 10700 MHz); MCO1430 (frequency range 9400 through 10700 MHz). Furthermore, the Commission's staff has approved the licensing and operation of the devices under Part 90F over an extended frequency range through the express grant of a waiver. See Attachment A. While the outstanding Experimental License issued to TN Technologies Inc. (KB2XEN, File No. 3990-EX-PL-93) covers the frequency range 9600 through 10500 MHz, a greater frequency range would be consistent with the terms of the Part 90 waiver and the type acceptances issued to cover the existing commercial models.

Federal Communications Commission
March 13, 1996
Page 2

We trust that this adequately responds to the staff's questions. Please direct any questions to this office.

Sincerely,

John J. McVeigh