

From: Erik Erben

To: Doug Young

Date: January 15, 2010

Subject: Request for Info - STA File #0014-EX-ST-2010

Message:

Mr. Young,

Relative to correspondence with respect to reference number 9991:

You may have identified an oversight in our operations. We had taken a two-pronged approach to satisfy operational requirements for transmission on these two frequency bands:

- (1) utilizing radios that had an affixed FCC Part 15 label, and
- (2) the project decided to submit an application for a separate license in these two frequency bands anyway for no other reason than to have a hardcopy authorization artifact.

Relative to item (1), as a result of your question, we performed a detailed inspection of the vehicle radio equipment with the following result:

- (a) Microhard 902-928 MHz has an affixed FCC Part 15 label - FCC ID - NS905P20
- (b) L3 Comm 2390-2500 MHz did not have an affixed FCC Part 15 label

Our understanding was that for radios with a FCC Part 15 label, we would not need a separate license. However, it appears that an oversight was made relative to the L3 radio (2390-2500 MHz band). Although, this oversight seems to have been covered by application for a separate license in item (2) below.

Relative to item (2), we submitted applications (and received subsequent license grants) for operation in the 902-928 MHz and 2390-2500 MHz bands as follows:

Temporary license:

File number 0061-EX-ST-2009 which covers the Laguna and Honeywell Tether areas (it does not cover the Rio Rancho area & we have not begun operations there ? it also does not cover the Miami Dade area). It was our understanding that although the temporary license has expired, we could still operate in the designated areas since the permanent license application was still in a pending state.

Permanent application (pending):

File number 0412-EX-PL 2008 which includes both these radios along with a third radio. The need for the temporary license above was to separate the two commercial band radios from the military band, so we would be able to operate in the commercial bands.

Based on our understanding, we believe we are authorized to operate in these frequency bands for the Honeywell Tether area and the Laguna test area. We would need to submit for a modified license to include the Rio Rancho Test area and the Miami Dade area.

If our understanding is in error and we have made an oversight relative to operation of these radios, then we will submit the appropriate application(s) to rectify this oversight.

Please advise us if we have made an oversight in our understanding, and what our options are to rectify this oversight.

Thank you,
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