

This experimental application is for testing a UWB surveillance system that will operate within the technical parameters of Section 15.511 of the FCC Rules. Operation of this UWB surveillance radar system for testing would normally be permitted under Section 2.805 of the FCC Rules without a specific experimental license. However, this system will ultimately require a waiver of the FCC Rules similar to the waiver granted to MBOA-SIG (see FCC 05-58) that waives the requirement that the emissions from UWB devices employing hopped, stepped or sequenced operation to be measured with the hop, step or sequenced function stopped. Accordingly, Liberty Defense is not able to comply with the requirements for 2.805(d)(1) which requires that “[t]he radio frequency device shall be operated in compliance with existing Commission rules, waivers of such rules that are in effect at the time of operation, or rules that have been adopted by the Commission but that have not yet become effective.” Thus, Liberty Defense must operate the device under the authority of Section 2.805(b) which states that “[o]peration of a radio frequency device prior to equipment authorization is permitted under the authority of an experimental radio service authorization issued under part 5 of this chapter”.