



Digital Energy  
MDS

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Nov 16th, 2009

**Subject: Listing FCC rule parts 90 and 80 on the SD2 FCC grant**

**Applicant: GE MDS LLC.**  
**Product: MDS SD2**  
**FCC ID: E5MDS-SD2**

Dear Sir/Madam,  
Elliott TCB  
684 West Maude Ave.  
Sunnyvale, CA. 94085


Item 23 of FCC 07-87 allows for multiple rule operation in the AMTS band:

“We take this opportunity to clarify that mobile units certified under Parts 22 or 90 are permitted to operate in conjunction with base station equipment certified under Part 80. Although Section 80.203(b) of the Rules proscribes the certification under Part 80 of transmitters that can be programmed using external controls to operate on channels not authorized for maritime use (such as channels allocated for Part 22 or Part 90 use), a mobile unit certified under Part 22 or Part 90 may also be certified under Part 80, for land mobile use pursuant to Section 80.123(d), provided that the only additional functionality, beyond the functionality of the device as certified under Part 22 or Part 90, is the capability to operate on the public correspondence channels authorized for use by the associated public coast station.”

Since the Part 90 operation of the SD2 radio uses F1D, F2D and F3D, then the part 80 uses would also be F1D, F2D and F3D and thus we are applying for these emissions designators under part 80.

If you have any queries, please do not hesitate to contact me at 585 242-8440:

Yours truly,

Signed:  Name: Dennis McCarthy .....

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