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Reference FCC ID: FBR-RSPDL800A

Thank you for your fax of 1/30/97. We would like to respond to your question related to eligibility for Part 74 as follows:

Part 90 frequencies are not attractive for this type of device. We feel the device legitimately qualifies under Part 74. The superiority of an 800 MHz wireless microphone operating under Part 74 for both its high audio quality and its reliability are critical issues because this audio is broadcast to potentially thousands of viewers.

As we have examined the eligibility requirements for Part 74, we have identified the following considerations for an entity to qualify:

1. Does the nature of the entity in its activities fit one or more of the categories as defined in 74.832?

The entities using the product will fit under one or more of the qualifications indicated in 74.832 including:

74.832(2) A broadcast network entity

74.832(5) Television program producers as defined in 74.801 ("a person or organization engaged in the production of television programs").

2. Does the usage of the device qualify as defined in 74.831?

Part 74.831 indicates a variety of qualifying usages including both live participative ("for the transmission of program material by means of a wireless microphone") and supportive functions (for "cues and orders to production personnel..."). In the case of the device under consideration

the usage is the former, to provide a valuable component of the program. The purpose of the audio link is not to merely respond to program material (although that could happen), but more importantly to become content of the broadcast program itself. In fact, the product has no usefulness other than to provide content that the host can broadcast for the benefit of the other program viewers. The reason entities are willing to spend the money on a product such as this is because it significantly assists in making their programming more interesting and effective.

Perhaps some confusion is caused by the dual nature of this device in that we have integrated two products into one:

1. A response keypad providing the ability to respond to program material. This aspect of the product falls under Part 15 (non-intentional and intentional radiator) and is considered and evaluated under a separate application.
2. The wireless microphone which provides the ability to provide programming content through "the transmission of comments, interviews, and reports from the scene of a remote broadcast." This is the component of the product under consideration in this Part 74 application.

We therefore submit that the processing and approval of this application should be continued and completed.

Sincerely,

Harry Derks
Electronics Engineering Manager
Fleetwood Group Inc.

cc: Nick Medendorp
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