2) The synchronization description indicates that the device scans the first 6 frequencies before synchronization occurs. These frequencies will be used more than others and therefore does not meet the requirement that all frequencies are used on average. Please explain. If the device cannot be modified to meet the requirement the application will be dismissed.

Response: Only the "receiver" scans the first 6 frequencies looking for a valid transmitter. The transmitter "always" uses the normal hop sequence, therefore no frequencies are used more than the others.