

30 January 2002

Mr. Andy Leimer  
Chief, Equipment Authorization Branch  
Office of Engineering and Technology  
Federal Communications Commission  
7435 Oakland Mills Road  
Columbia, Maryland 21046

In re: Apple Airport Base Station  
FCC ID No. IMRWLPC24H

Dear Andy:

Apple Computer, Inc. ("Apple"), submits this filing to request the dismissal of its Class II permissive change application filed on December 18, 2001 for the Apple Airport Base Station ("Airport") referenced above. That filing was made to remove 20 cm separation distance and antenna/transmitter co-location restrictions that Apple believes are unnecessary. In addition, Apple requests that the Office of Engineering and Technology ("OET") set aside the current, November 12, 2001 TCB authorization for the Airport and rule on the underlying application. Apple believes that if the appropriate Commission rules and policies are applied to evaluate the underlying application, it can be granted without conditions.

On November 12, 2001, Compliance Certification Services ("CCS"), a TCB, issued a Grant of Equipment Authorization for a Class II permissive change to the device identified by FCC ID No. IMRWLPC24H. CCS performed a maximum permissible exposure ("MPE") evaluation of the device and determined that its Grant of Equipment Authorization should be conditioned upon the device being installed to maintain at least a 20 cm separation distance from all persons and upon the device not being co-located or operated in conjunction with any other antenna or transmitter.

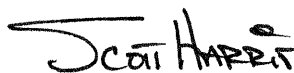
On December 18, 2001, Apple filed a Class II permissive change requesting that the separation and co-location conditions be removed. To support its request, Apple included a specific absorption rate (SAR) report for OET's consideration. The SAR report demonstrated that the Airport device measured far below the Commission's SAR limits.

However, upon its own examination of the FCC's equipment authorization rules in 47 C.F.R. Part 2, Subpart J and of the policies set forth in Supplement C of OET's Bulletin 65,<sup>1</sup> Apple is convinced that the separation distance and operational condition restrictions of its November 12, 2001 authorization are unnecessary and should be removed. Moreover, Apple believes that a SAR report is not necessary for authorizing the Airport device. Specifically, Section 3, footnote 14 provides that if a device is operating within 2.5 cm of a person's body or in contact with the body, a SAR evaluation may be necessary if the device's output is more than 50-100 mW.<sup>2</sup> However, the Airport device's conducted output power is only 32 mW. Consequently, Apple believes that both conditions of the November 12, 2001 Grant of Equipment Authorization should be removed. In addition, Apple believes that its only requirement for complying with 47 C.F.R. § 15.247(b)(4) is a simple RF exposure statement indicating that the device output power is less than 50 mW. These conclusions make the December 18, 2001 Class II permissive change filing unnecessary.

In light of the foregoing, Apple requests that the OET dismiss its December 18, 2001 Class II permissive change filing. In addition, Apple requests that the Commission set aside the November 12, 2001 Grant of Equipment Authorization issued by Compliance Certification Services, Inc. Apple requests that OET then evaluate the underlying November 12, 2001 application under the appropriate rules and policies and issue an unconditioned grant. Attached is a new RF exposure statement exhibit appropriate for the nature of this device. Thank you for your consideration and assistance.

Respectfully submitted,

APPLE COMPUTER, INC.



Scott Blake Harris  
Damon C. Ladson

cc: Mr. Richard Fabina  
Chief, Equipment Authorization Branch  
Laboratory Division  
Office of Engineering and Technology  
Federal Communications Commission

Attachment

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<sup>1</sup> See Supplement C (Edition 01-01) to OET Bulletin 65 (Edition 91-01).

<sup>2</sup> Footnote 14 indicates that 50-100 mW threshold relates to the device operating configuration and likely exposure conditions.

## **RF Exposure Exhibit**

### RF Exposure Statement

The radiated output power of the AirPort Base Station is only 32 mW (conducted) and is thus far below FCC radio frequency exposure limits. *See* footnote 14, Supplement C (Edition 01-01) to OET Bulletin 65 (Edition 91-01). Nevertheless, the AirPort Base Station user's manual will advise that the device be used in a manner that minimizes the potential for human contact.