

# **Exhibit 2**

  

# **Attestation Statement**

  

# **Cover Letters**



**Primary Differences Between MMDS/ITFS and BRS/EBS Spectrums**

	<b>MMDS/ITFS Band</b>	<b>BRS/EBS Band</b>
Frequency range (MHz)	2500-2686	2496-2690
Channels - Bandwidth	31 - 6 MHz	24 - 5.5 MHz 9 - 6 MHz
Number of channels	31	33
Emissions Designator	5M53W7D	4M96W7D (5.5 MHz channel) 5M53W7D (6 MHz channel)
Emissions Mask	Spectral plot	Power measured in 1 MHz BW
FCC Rules	Parts 21 and 74	Part 27
RF Power	0.001, 2 watts	0.001, 2 watts
TX Duty cycle	14.29% max	14.29% max
Frequency Tolerance	10 PPM Measured carrier freq.	10 PPM Measured channel emissions
RF Exposure		No change – measured same

**Exhibit Summary**

<b>Exhibit Section</b>	<b>Contents</b>
1	FCC ID Label / Location Information
2	Attestation Statement and Cover Letters
3	External Photographs
4	Block Diagrams
5	Schematics
6	Test Report (Part 27 compliance)
7	Test Setup Photographs
8	Installation and Operating Manual
9	Internal Photographs
10	Parts List
11	RF Exposure Information
12	Operational Description
13	Correspondence

## Cover Letters

Gentlemen:

This report is being submitted to the Federal Communications Commission for the Class II permissive change of equipment pursuant to 47 CFR Telecommunication CHAPTER I FEDERAL COMMUNICATIONS COMMISSION, Parts 0, 1, 2, 15, and 27 as published in the Federal Register on October 6<sup>th</sup>, 2005.

FCC Rule Part	Description	Response
0.457(d)(1)(ii)	Records not routinely available for public inspection	See Exhibit 13
0.459	Requests that materials or information submitted to the Commission be withheld from public inspection.	See Exhibit 13
<b>Permissive Change</b>		
2.1043(a)	(a) Except as provided in paragraph (b)(3) of this section, changes to the basic frequency determining and stabilizing circuitry (including clock or data rates), frequency multiplication stages, basic modulator circuit or maximum power or field strength ratings shall not be performed without application for and authorization of a new grant of certification. Variations in electrical or mechanical construction, other than these indicated items, are permitted provided the variations either do not affect the characteristics required to be reported to the Commission or the variations are made in compliance with the other provisions of this section. Changes to the software installed in a transmitter that do not affect the radio frequency emissions do not require a filing with the Commission and may be made by parties other than the holder of the grant of certification.	
2.1043(b)(2)	(b) Three classes of permissive changes may be made in certificated equipment without requiring a new application for and grant of certification. None of the classes of changes shall result in a change in identification.  (2) A Class II permissive change includes those modifications which degrade the performance characteristics as reported to the Commission at the time of the initial certification. Such degraded performance must still meet the minimum requirements of the	A certification package is presented in support of this class II permissive change.

FCC Rule Part	Description	Response
	<p>applicable rules. When a Class II permissive change is made by the grantee, the grantee shall supply the Commission with complete information and the results of tests of the characteristics affected by such change. The modified equipment shall not be marketed under the existing grant of certification prior to acknowledgement by the Commission that the change is acceptable.</p>	
<p>Part 27 “Application for Certification” requirements</p>		
<p>2.947</p>	<p>Measurement procedure:                      (a) The Commission will accept data which have been measured in accordance with the following standards or measurement procedures:                      (1) Those set forth in bulletins or reports prepared by the Commission’s Office of Engineering and Technology. These will be issued as required, and specified in the particular part of the rules where applicable.                      (2) Those acceptable to the Commission and published by national engineering societies such as the Electronic Industries Association, the Institute of Electrical and Electronic Engineers, Inc., and the American National Standards Institute.                      (3) Any measurement procedure acceptable to the Commission may be used to prepare data demonstrating compliance with the requirements of this chapter.                      (b) Information submitted pursuant to paragraph (a) of this section shall completely identify the specific standard or measurement procedure used.                      (c) In the case of equipment requiring measurement procedures not specified</p>	<p>Information detailed with each test.</p>

FCC Rule Part	Description	Response
	<p>in the references set forth in paragraphs (a) (1) and (2) of this section, the applicant shall submit a detailed description of the measurement procedures actually used.</p> <p>(d) A listing of the test equipment used shall be submitted.</p>	
2.1033(c)	Applications for equipment other than that operating under parts 15 and 18 of the rules shall be accompanied by a technical report containing the following information:	
2.1033(c)1	The full name and mailing address of the manufacturer of the device and the applicant for certification.	NextNet <sup>®</sup> Wireless, Inc. 9555 James Avenue South, Suite 270 Bloomington, MN 55431
2.1033(c)2	FCC identifier.	<b>PHX-MMDS-CPE5</b>
2.1033(c)3	A copy of the installation and operating instructions to be furnished the user. A draft copy of the instructions may be submitted if the actual document is not available. The actual document shall be furnished to the FCC when it becomes available.	See Exhibit 8
2.1033(c)4	Type or types of emission.	27.53(l): Digital OFDM / 4M96W7D OFDM / 5M53W7D
2.1033(c)5	Frequency range.	2496 – 2690 MHz
2.1033(c)6 21.909(g)2 74.939(g)2	Range of operating power values or specific operating power levels, and description of any means provided for variation of operating power.	0.001 Watts – 2 Watts Power is adjusted by system based on signal level received at the base station site.
2.1033(c)7	Maximum power rating as defined in the applicable part(s) of the rules.	27.50(h)(2): <i>Mobile and other user stations</i> . All user stations are limited to 2.0 watts transmitter output power. See Exhibit 6
2.1033(c)8	The dc voltages applied to and dc currents into the several elements of the final radio frequency amplifying device for normal operation over the power range.	See Exhibit 4

<b>FCC Rule Part</b>	<b>Description</b>	<b>Response</b>
2.1033(c)9	Tune-up procedure over the power range, or at specific operating power levels.	See Exhibit 12
2.1033(c)10	A schematic diagram and a description of all circuitry and devices provided for determining and stabilizing frequency, for suppression of spurious radiation, for limiting modulation, and for limiting power.	See Exhibit 5 and Exhibit 12
2.1033(c)11	A photograph or drawing of the equipment identification plate or label showing the information to be placed thereon.	See Exhibit 1
2.1033(c)12	Photographs (8"x10") of the equipment of sufficient clarity to reveal equipment construction and layout, including meters, if any, and labels for controls and meters and sufficient views of the internal construction to define component placement and chassis assembly. Insofar as these requirements are met by photographs or drawings contained in instruction manuals supplied with the certification request, additional photographs are necessary only to complete the required showing.	See Exhibit 3 and Exhibit 9
2.1033(c)13	For equipment employing digital modulation techniques, a detailed description of the modulation system to be used, including the response characteristics (frequency, phase and amplitude) of any filters provided, and a description of the modulating wavetrain, shall be submitted for the maximum rated conditions under which the equipment will be operated.	See Exhibit 12
2.1033(c)14	The data required by §§ 2.1046 through 2.1057, inclusive, measured in accordance with the procedures set out in § 2.1041	See Test Report measurements in Exhibit 6
2.1033(c)15	The application for certification of an external radio frequency power amplifier under part 97 of this chapter	Not applicable

<b>FCC Rule Part</b>	<b>Description</b>	<b>Response</b>
	need not be accompanied by the data required by paragraph (b)(14) of this section. In lieu thereof, measurements shall be submitted to show compliance with the technical specifications in subpart C of part 97 of this chapter and such information as required by § 2.1060 of this part.	
2.1033(c)16	An application for certification of an AM broadcast stereophonic exciter-generator intended for interfacing with existing certified, or formerly type accepted or notified transmitters must include measurements made on a complete stereophonic transmitter. The instruction book must include complete specifications and circuit requirements for interconnecting with existing transmitters. The instruction book must also provide a full description of the equipment and measurement procedures to monitor modulation and to verify that the combination of stereo exciter-generator and transmitter meet the emission limitations of § 73.44.	Not applicable
2.1033(c)17	Applications for certification required by §25.129 of this chapter shall include any additional equipment test data required by that section.	Not applicable
2.1033(c)18	An application for certification of a software defined radio must include the information required by §2.944.	Not applicable
2.1033(d)	Applications for certification of equipment operating under part 20, that a manufacturer is seeking to certify as hearing aid compatible, as set forth in §20.19 of that part, shall include a statement indicating compliance with the test requirements of § 20.19 and indicating the appropriate U-rating for the equipment. The manufacturer of the equipment shall be responsible for	Not applicable



<b>FCC Rule Part</b>	<b>Description</b>	<b>Response</b>
	maintaining the test results.	
2.1033(e)	A single application may be filed for a composite system that incorporates devices subject to certification under multiple rule parts, however, the appropriate fee must be included for each device. Separate applications must be filed if different FCC Identifiers will be used for each device.	Not applicable

Test Report Summary Part 27

<b>47CFR Rule Part</b>	<b>Requirement</b>	<b>Test Result</b>
1.1310	Radio Frequency Radiation Exposure Limits	Pass
2.1046 27.50(h)(2)	RF Output Power	Pass
2.1047 27.53(l)	Modulation Characteristics	Pass
2.1049 27.53(l)	Occupied Bandwidth	Pass
2.1051	Spurious Emissions at Antenna Terminals	Pass
2.1053	Field Strength of Spurious Radiation	Pass
2.1055 / 27.54	Frequency Stability	Pass
2.1057	Frequency Spectrum to be Investigated	Pass
2.1091 / 27.52	Radio Frequency Radiation Exposure Evaluation: Mobile Devices.	Pass