

dward

From: Documentation Department [doc@elliottlabs.com]
Sent: Wednesday, September 17, 2003 9:54 AM
To: dward
Cc: doc@elliottlabs.com; jmartinez@elliottlabs.com; deriksen@elliottlabs.com; cvu@elliottlabs.com
Subject: Soma FCC ID: POZCPEMDS004324

RE: FCC ID: POZCPEMDS004324

1. Please note that while certain frequencies in Part 21 K exist on a shared basis with certain frequency allocations in Part 74 I, certification of any particular device must meet the intent and criteria for the specific part being applied. Please note that this MDS application under part 21K does not appear to meet the Part 74 Subpart I—Instructional Television Fixed Service. Please note that while 21.901 states shared frequencies exist, it also states that the licensing (and thus certification) is done under part 21 or part 74 of the Commission's Rules, as applicable. Since this is an MMDS client premises equipment for the purpose of data transfer over the network, it should be certified and subsequently licensed under part 21K not part 74 I. If the device is an instructional television fixed service device, please provide evidence of how this rule part applies.

Response: All references to part 74 has been removed. Only part 21 approval is desired.

2. FYI - no action needed. Please note that the term 'intentional radiator' is generally used for reference to a part 15 device. Since this is a licensed device it should be designated as a transmitter or licensed transmitter instead of an 'intentional radiator'.

Response: Understood.

Juan Martinez
EMC Engineer
Elliott Laboratories