



American Telecommunications Certification Body Inc.  
6731 Whittier Ave, McLean, VA 22101

September 6, 2005

RE: Netgear Inc.  
FCC ID: PY30500014

After a review of the submitted information, I have a few comments on the above referenced Application.

- 1) The power output of this device appears to only be 14.72 dBm (29.7 mW) according to the test report. However the new operational description mentions up to 20 dBm (100 mW). The FCC expects the device to be tested at maximum output during EMC testing. Please confirm that the device was tested at maximum output power it will be manufactured at. If not, retesting may be necessary. Please review.
- 2) An external photograph of a PCMCIA was provided. However the label is not high enough resolution to easily read. Please re-provide.
- 3) Regarding the PCMCIA card that can be plugged into this device, information as to the intended use of this has not provided. It is uncertain if it operated simultaneously with other TX's already in this device. It is uncertain how this device is designed such that only cards approved for use with it can be installed. Depending on its purpose and how it is used, the RF exposure or several other concerns may need to be addressed (co-location requirements – Documentation of TX). Please provide further information as to the purpose and technical nature of this card.
- 4) It is assumed that this device is intended to only be used with a certain PCMCIA Card as intended by the manufacturer. Please explain what precautions are built into the device so that the device will only function with the particular PCMCIA card(s) specified within this application.
- 5) If the devices will not transmit at the same time, please explain what precautions are built into to the device to keep this from occurring.
- 6) The users manual should address items 3 and 4 above and properly inform the user.
- 7) The PCMCIA card provided is for "FCC ID: QZX99171001". This is approved for portable use in a laptop and excludes co-located conditions. Given questions above, it is still uncertain if a co-located condition will occur. To properly use this in the device being approved in this application, a Permissive Change to FCC ID: QZX99171001 covering the new RF exposure conditions would normally be required. Alternatively, a Change of ID of this device would be done to place the PCMCIA card under Netgears name and FCC ID, and then a Permissive change to Netgears own device to cover the new co-location issues could also be done. Additionally, we have noticed that the FCC sometimes has not required a Permissive change in some cases similar to this, but this has typically only been allowed when the secondary transmitter is much lower power than the primary (in this case, the PCMCIA card is much higher power). Until specific guidance is released from the FCC, we have to determine these paths on a case by case scenario. Please let us know if you want us to pursue this with the FCC to see if they will allow it without a Permissive Change. However to do this, we must fully understand the co-located conditions and if they transmit at the same time. Additionally to investigate this will take a few days with the FCC. Alternatively the Permissive Change to QZX99171001 can be done, or a Change in ID and Permissive Change to Netgears private labeled version could be done. Please let us know how you wish to proceed with this issue.

- 8) Section 15.15(b) prohibits adjustments of any control by the user that will cause operation of a device in violation of the regulations. Accordingly, any proposal to allow the end user to choose extended channels on frequencies outside of an allowable frequency band in the USA is not acceptable. For example, a WLAN device operating according to Section 15.247 on channels 1-11 between 2.4 - 2.483.5 GHz must not have any user controls or software to allow the device to operate on channels 12 and 13 which are outside of the allowed USA band. For instance, the user should not be able to select alternative countries which would allow different channel plans outside of the allowed USA band. Please explain how this device is compliant to this requirement.
- 9) It is uncertain which power method was applied. Generally it appears that option 2, method 3 may have been applied. Please confirm.
- 10) FYI...In the future, please try to center the keyboard on the monitor per ANSI C63.4. If necessary for the mouse, please extend the surface, or consider placing the mouse to the other side of the keyboard.
- 11) FYI...This device is also subject to a DoC, but the manual should be updated to place the following specific information on a single page in the manual.

**COMPLIANCE INFORMATION (47CFR 2.1077)**

If a product is tested and authorized under a Declaration of Conformity, a compliance information statement shall be supplied with the product at the time of marketing or importation, containing the following information on a single page:

- (1) Identification of the product, i.e. name and model number.
- (2) A statement similar to that contained in Section 15.19(a)(3) that the product complies with Part 15 of the regulations.
- (3) The identification, by name, address and telephone number, of the responsible party. The responsible party is defined as either the manufacturer, or if the equipment is imported, the importer. The responsible party for a Declaration of Conformity must be located within the United States.



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The items indicated above must be submitted before processing can continue on the above referenced application. Failure to provide the requested information may result in application termination. Correspondence should be considered part of the permanent submission and may be viewed from the Internet after a Grant of Equipment Authorization is issued.

Please do not respond to this correspondence using the email reply button. In order for your response to be processed expeditiously, you must submit your documents through the AmericanTCB.com website. Also, please note that partial responses increase processing time and should not be submitted.

Any questions about the content of this correspondence should be directed to the sender.