

AvaLAN Wireless Systems Incorporated
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Mountain View, CA 94040
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F 650 249 3591



Federal Communications Commission
7435 Oakland Mills Road
Columbia, MD
21046
USA

Authority to Act as Agent to the Federal Communications Commission

On our behalf, I appoint NEMKO Dallas, Inc. to act as agent in the preparation of this application for equipment authorization to the Federal Communications Commission. I certify that submitted Exhibits properly describe the device or system for which equipment authorization is sought. I also certify that each unit manufactured, imported or marketed, as defined in the Commission's regulations will have affixed to it a label identical to that submitted for approval with this application.

APPLICANT ANTI-DRUG ABUSE CERTIFICATION:

In signing this letter, Applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits, that includes FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 853(a), or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits, that includes FCC benefits, pursuant to that section. For the definition of a "party" for these purposes, see 47 CFR 1.2002(b).

A handwritten signature in black ink, appearing to read 'Michael R. Derby'.

November 11, 2004

Agency agreement expiration date:

By: Michael R Derby

Title: CTO

Telephone: 650 444 5117

Applicant: AvaLAN Wireless Systems Incorporated