



October 2, 2009

RE: ATCB008185 – Original Equipment & Single Certification Applications

FCC ID: XEZ-1000 & IC: 8390A-1000 for Via One Networks LLC (Cell phone /Bluetooth TX)

I have a few comments on this Application. Please **do not put confidential information** in your responses to these questions because the response letter will not be held confidential by the FCC. Depending on your answers there may be more questions.

1. The Part 24 test report is missing the modulation characteristic measurements required by Section 2.1047 of the FCC Rules. Please provide these required measurements.

Response: There is no specific modulation characteristic requirement for this type of device.

2. The Part 24 test report also does not list 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 in accordance with Section 2.1033(c)(8) of the FCC Rules.

Response: Please see the revised PCS test report uploaded with this response (Section 3).

3. Please provide evidence that the 1850-1910 MHz transmitter complies with Section 5.1 of RSS-133 Issue 5. This section states the IC requirements for the Electronic Serial Number, Mobile Equipment Identifier, International Mobile Subscriber Identity and International Mobile Equipment Identity. No information on these items was provided in the application.

Response: Please refer to the attestation letter provided by the manufacturer, uploaded with this response.

4. The test report for IC RSS-133 compliance does not contain receiver spurious emission measurements in accordance with Section 6.6 of RSS-133 Issue 5. These receiver spurious emissions must comply with Sections 4.10 and 6 of RSS-Gen Issue 2.

Response: Please see the revised PCS test report uploaded with this response (Table 10-4).

5. The frequency hopping spread spectrum (FHSS) transmitter test report shows antenna conducted spurious emissions made while the hopping mode was on. This does not agree with the FCC-accepted test procedure for FHSS transmitters where tests are made on three channels with the hop function stopped. Please address.

Response: Note that we are now requesting certification for the 2.4 GHz transceiver portion of the EUT under FCC 15.249/RSS-210 A2.9 due to the low power levels. Please see the revised test report uploaded with this response. The appropriate test procedure is ANSI C63.4-2003 as referenced on the front page of the test report.

6. The FHSS transmitter duty cycle correction factor seems to be based on pulse width rather than the dwell time during a 100 millisecond time interval as specified in the FCC-accepted test procedure for FHSS transmitters. Please address.

Response: Please see response to #5 above.

7. The FHSS transmitter test report does not identify the FCC-accepted test procedure used for making these measurements. Please address.

Response: Please see response to #5 above.

8. The FHSS transmitter test report does not have receiver spurious emissions test results for the Bluetooth receiver as required by IC in Section 4.10 of RSS-Gen Issue 2. Please address.

Response: Please see the revised test uploaded with this response (Section 5.1.4).

9. Please confirm that the Bluetooth transmitter does not have the capability to transmit simultaneously with the cell phone transmitter.

Response: Please refer to the attestation letter from the applicant, uploaded with this response.

10. Please confirm that neither the Bluetooth transmitter nor the cell phone transmitter operate with voltage provided from the AC power lines.

Response: Please refer to the same attestation letter referenced in the response to #9, uploaded with this response.

11. The block diagram, operational description and tune up procedure exhibits show cell phone frequencies outside the 1850-1910 MHz frequency range listed on the FCC and IC application forms. Either these exhibits need to be corrected or the rest of the supporting exhibits need to be corrected to show compliance with the frequency ranges outside the 1850-1910 MHz frequency range.

Response: Please refer to the revised block diagram, operational description and tune up procedure uploaded with this response.

12. The IC application form requires either handwritten signatures or digitally verified signatures on pages 1 and 2 of the form. Please provide a new IC application with this type of signature on pages 1 and 2.

Response: The revised IC application form was uploaded on October 2, 2009.

13. The IC application is missing Appendix A and B of RSS-102 Issue 2. Be sure that Sections a and b of Appendix A are filled out with the data from the SAR report submitted with this application. Also make sure that Appendix B is signed with either a handwritten signature or a digitally verified signature as mentioned in item 11 above.

Response: RSS-102 Appendix A & B, with SAR data and handwritten signature was uploaded on September 29, 2009.

14. The Canadian representative letter is not acceptable because it has been signed by the applicant not the Canadian representative. The applicant cannot attest to the fact that the Canadian representative agrees to accept the responsibility to act as agent for the applicant. Please submit a new Canadian representative letter signed by the Canadian representative.

Response: The revised Canadian representative letter was uploaded on October 2, 2009.

15. The FCC confidentiality request letter and the IC confidentiality request letters do not agree on what material should be held confidential. The IC letter requests confidentiality of the test report exhibit. (I'm not sure if this can be done for IC). In addition, the FCC letter calls one exhibit the technical operational description but the IC letter calls this same exhibit the operational description/circuit analysis. Please review these letters and request the same file names to be held confidential on both letters to eliminate any confusion or misunderstanding which could adversely affect the client.

Response: Please refer to the revised IC Confidentiality Request letter uploaded with this response. It includes the same "operational description" reference as the FCC letter. I inquired about IC's document confidentiality restrictions and learned that IC does not currently have any restrictions on what can be held confidential so the applicant requests that ATCB comply with their request with regard to IC.

16. The compliance statement which appears on the penultimate page of the user manual is not verbatim of the warning from Section 15.19(a)(3) of the FCC Rules and does not agree with the wording required by Section 7.1.5 of RSS-Gen Issue 2. Please correct this statement.

Response: Please refer to the revised manual uploaded with this response.

17. The SAR test report does not show the location of the 1850-1910 MHz transmitting antenna. Please provide a photo or drawing indicating the location of the internal antenna used by this cell phone. (I am concerned that the body SAR of 1.26 W/Kg taken at 1.5 cm separation from the body phantom is higher than the head SAR of 0.61 W/Kg taken in the ear touch position with the head phantom shown in the SAR test setup photos. I'm hoping the antenna location will resolve this matter).

Response: Please refer to the antenna placement photograph uploaded with this response.

18. The user manual does not mention any specific accessories to be used with this phone but the body worn position will require a separation distance of 1.5 cm from the body in order for the user to comply with the FCC RF exposure requirements. Please either include the name of a belt clip accessory in the user manual that meets this separation distance or advise the end user to purchase only belt clips that maintain the required 1.5 cm separation distance to comply with the FCC RF exposure requirements.

Response: Please refer to the revised user manual uploaded with this response.

19. The user manual should also list the FCC ID number of this cell phone in the user manual along with the highest head and body SARs measured from this device. Please provide an amended user manual with the information listed in items 17 and 18.

Response: Please refer to the revised user manual uploaded with this response.

20. For Your Information – I will be changing the emission designator for the FHSS transmitter from 1M00FXD shown on the IC application form to 840KFXD since that is the 99 % occupied bandwidth reported in the FHSS transmitter test report.

Response: Noted.

21. For Your Information 2 – The FCC has hearing aid compatibility (HAC) requirements for mobile handsets, including cell phones, in Section 20.19 of the FCC Rules. Section 20.19(d)(1) contains the phase in requirements for the percentage of cell phones marketed in the USA by a manufacturer that must comply with these requirements. Please review these rules and take into consideration whether a new cell phone you are having approved requires HAC compliance.

Response: The applicant has considered the issue with respect to this cell phone.



Richard Fabina
Examining Engineer

[mailto: rfabina@AmericanTCB.com](mailto:rfabina@AmericanTCB.com)
phone: 703-635-2881

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.