



Federal Communications Commission  
Washington, D.C. 20554

May 19, 1999

Mr. Mitchell Lazarus, Esq.  
Fletcher, Heald & Hildreth, P.L.C.  
11<sup>th</sup> Floor, 1300 North 17<sup>th</sup> Street  
Arlington, VA 22209-3801

In re: Request for Waiver of Section 15.255(i)(2)

Dear Mr. Lazarus:

This is in response to your letter dated April 15, 1999, filed on behalf of Harmonix Corporation ("Harmonix") requesting waiver of Section 15.255(i)(2) of the Commission's rules. Specifically, you requested a waiver of the serial number portion of the transmitter identification requirements for unlicensed devices operating in the 59-64 GHz band.

In ET Docket 94-124, the Commission adopted a spectrum etiquette for unlicensed operation in the 59-64 GHz band. The spectrum etiquette requires that any transmitter which operates with a peak power equal to or greater than 0.1 mW must transmit once every second a transmitter identification data block that contains the following: (1) FCC identifier, which is programmed at the factory; (2) Manufacturers serial number, which is programmed at the factory; and (3) at least 24 bytes of user definable data.

Harmonix requests waiver of the manufacturer's serial number provisions of the spectrum etiquette. Specifically, Harmonix indicates that the requirement that each unit transmit a unique serial number will add significantly to the cost of its equipment with no benefit. Therefore, Harmonix requests that it be permitted to use the same serial number to identify all transmitters that are part of a single communications system.

Our review of the record in ET Docket 94-124 shows that the Commission's rules do not require the transmission of a unique manufacturer's serial number for each unlicensed device that operates in the 59-64 GHz band. As a result, we find that the waiver request is not necessary. If you have any additional questions regarding this matter please contact Rodney Conway at (202) 418-2904 or via e-mail at [rconway@fcc.gov](mailto:rconway@fcc.gov).

Sincerely,

A handwritten signature in cursive script that reads "Karen Rackley".

Karen Rackley, Chief  
Technical Rules Branch  
Office of Engineering and Technology