

April 9, 2001

Federal Communications Commission
7435 Oakland Mills Road
Columbia, MD 21046

Re: Cazden Enterprises, LLC
FCC ID: PHM-SM-500

Dear Sir or Madam:

We are manufacturers of a water-leveling device which utilizes a radio transmission regulated under Part 15 of FCC Regulations. As part of the submittal of our application, we request an exemption from Part 15.19(a)(3) with regard to the labeling requirements on the transmitter device. We request authority to include the mandatory language in the instructions instead of placing the same information on a label and affixing that label to the transmitter. We make this request pursuant to Section 15.19(a)(5) on the following grounds:

1. The transmitter device is partially submerged in chlorinated water. Therefore, the only place to affix a label which would include the mandatory language would be on top of the device. The top of the device is too small to include all of the mandatory language in a readable form.
2. While there are larger flat surfaces on the portion of the transmitter which are submerged, we are concerned that we will not be able to find a label which will stay affixed under continuously saturated conditions with chlorinated water.
3. Because the plastic component is made on an injected plastic mold, it is not possible to engrave the mandatory language into the sides of the mold itself as that would preclude the plastic parts from being ejected properly.

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We would propose to have engraved and/or labeled on the top of the transmitter the following information:

Manufacturer: Cazden Enterprises, LLC

The Smartmiser Model No. SM-500

FCC ID: PHM-SM-500

We will then include the required FCC language in our instructions under a separate section clearly marked FCC Information. A copy of our instructions is enclosed herewith for your review.

We believe that good cause exists to allow us an exemption under Section 15.19(a)(3) based on the physical constraints of labeling the transmitter in any other way.

Sincerely,

ROBERT P. OLIKER

RPO/cas