

III) Mobile Transmitters identified in §2.1091	Transmitters identified in §2.1091, unless categorically excluded, are required to demonstrate MPE compliance by routine evaluation. TCB may approve mobile devices that satisfy MPE Categorical Exclusion Requirements of §2.1091 provided the transmitter does not transmit simultaneously in multiple frequency bands.
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Categorically Exclusion Statement

In § 2.1091(b), a mobile device is defined as a transmitting device designed to be used in other than fixed locations and to generally be used in such a way that a separation distance of at least 20 centimeters is normally maintained between the transmitter's antenna and the body of the user or nearby persons. In accordance with § 2.1091(c), mobile PCS devices are categorically excluded from routine environmental evaluation for RF exposure prior to equipment authorization or use if their ERP is less than 3 W (34.77 dBm), if the device transmits above 1.5 GHz or 1.5 W (31.76 dBm) if the device transmits below 1.5 GHz.

The SOMAport user manual mandates a separation distance of at least 20 cm between the unit's antenna and the body of the user and nearby persons for ALL uses and applications.

The SOMAport is not designed for or intended to be used in portable applications, as defined in § 2.1093 (within 20 cm of the body of the user), and the user manual and OEM instructions contains specific language prohibiting such uses.

Finally, to provide proof that the SOMAport is categorically excluded from a routine environmental evaluation for RF exposure, an MPE calculation is provided and has been uploaded, which is label “**MPE calculation**”. The maximum gain of the internal antenna is **5 dBi**. The maximum power at the antenna terminal is .501 mW. The device will transmit above 1.5 GHz. Using the provided information the following EIRP or ERP can be calculated.

.501 mW (26 dBm)

$EIRP = 26 \text{ dBm} + 5 \text{ dBi} = 32 \text{ dBm}$

$ERP = 32 \text{ dBm} - 2.14 \text{ dB} = 29.86 \text{ dBm}$ or .968 Watts

Using the provided antenna gain, the total power, in ERP, comes out to be .968 Watts. This is below the 3 Watts (ERP), which excludes the SOMAport from routine environmental evaluation for RF exposure.

Warning Label Exclusion Statement

According to Supplement C to OET Bulletin 65 (Edition 97-01), for MPE evaluation of mobile devices, when it is determined that the device cannot meet the applicable field strength or power density limits under normal operating conditions, operation and warning instructions and/or prominent “**warning labels**” *may be used* to caution users and nearby persons to maintain a specified distance from the transmitter and to limit their exposure durations and/or usage conditions to ensure compliance.

The SOMAport is well below Section 1.1310 (Uncontrolled/Populated) limits (Please refer to the data provided) and does meet the applicable limits under normal operating conditions. With this, we request that the warning label be waived, since the SOMAport RF hazard levels are well below the MPE limit. But, an RF safety statement will be mention in the Users manual.