

To: Richard Fabina

August 28, 2009

RE: ATCB008050 – Class II Permissive Change Application

FCC ID: SQB-NIVISMOD0003 for Nivis, LLC

1. Please provide a separate cover letter exhibit that states the purpose of this Class II permissive change application for the FCC.

Please view the uploaded Test Report.

2. Please provide several zero span, spectrum analyzer plots showing the length of the pulses in a typical transmission and calculations used to determine the duty cycle factor (-7.23 dB) used for average detector radiated emission measurements. The submitted test report did not contain this information.

Please view the uploaded Test Report.

3. Antennas 1 and 2 have two different antenna gains specified in this filing. For example, antenna 1 is stated to have a 5.0 dBi antenna gain in the test setup photos exhibit and Section 2.16 of the test report exhibit. However, in the external photos exhibit and Section 2.6 of the test report, the gain for antenna 1 is stated as 5.5 dBi. The gain of antenna 2 is stated as 2.0 dBi or 2.14 dBi in different exhibits. Please clear up this discrepancy by correcting the incorrect exhibits.

This has been changed please view the uploaded Test Report and new Antenna photos.

4. Section 2.16 of the test report does not determine the RF exposure compliance of these antennas correctly. The numerical gain of a 6 dBi antenna is approximately 4. How could the numerical gain of a 5.0 dBi antenna be 5.5 (higher than a 6 dBi antenna)? Please revise this section of the test report with the correct antenna gain bearing in mind item number 3 above. Also it is customary to separate the RF exposure exhibit from the test report exhibit for FCC purposes. The FCC has a designated place to put RF exposure information into their application files on their Website. Please provide an RF exposure exhibit separate from a device test report.

This has been corrected and separated from the Test Report please see upload MPE submittal.

5. Please confirm that none of the exhibits in this Class II permissive change application require confidentiality. Item 1 of Section III of the FCC Application form is checked "YES" indicating that confidentiality is required on some exhibits but no confidentiality request letter has been submitted. If any of the exhibits in this filing require confidentiality, please submit the appropriate confidentiality request letter.

There is no confidentiality requested for this Class II permissive change form 731 has been updated please see the newly uploaded 731.

6. For Your Information – The grant for this modular transmitter is restricted to use in Nivis products only because it does not have voltage regulation as required in Section 15.212(a)(1)(iii) of the FCC Rules. See the first sentence at the bottom of the grant for this grant restriction. However, the user manual provided for this device indicates that other OEMs may install this device into their products. For example, see Section 6 of the submitted user manual entitled OEM responsibility to the FCC Rules and Regulations. The user manual should be corrected to eliminate any problems if this product is audited by the FCC.

Thank you for the information, we have discussed this with our contact at Nivis and have asked them to change the manual to reflect this requirement.