

8/9/2007

Federal Communications Commission
Office of Engineering and Technology
Laboratory Division

Permit But Ask Procedure

This procedure is intended to further extend the types of devices that are acceptable for issuance of a grant by a Telecommunications Certification Body (TCB), but allow FCC oversight for those types of devices that are not sufficiently technically “mature” for TCB approval. TCBs may approve devices on the “permit but ask” list below, but must obtain FCC guidance prior to approval.

Permit but ask list:

1. Devices operating according to technologies that are under development by standards organizations, industry associations and forums or adequate test procedures are not defined.

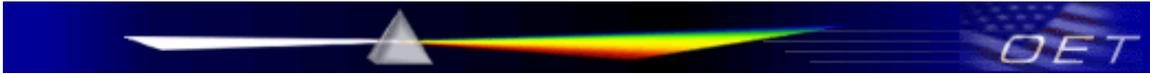
Devices where test procedures are not finalized or measurement techniques are unavailable on the FCC Web Site (<http://www.fcc.gov/oet/ea/eameasurements.html>). For example, WiMax and IEEE 802.16e.

Devices using similar technologies and/or not fully defined within 3GPP and 3GPP2 standards and the current ‘3G’ procedures in KDB Publication #865664 do not apply.

2. When standard test equipment is not commercially available or inadequate for making the required test.

For example, Test for SAR and HAC must be done with the EUT in normal operating mode using call processing simulators. However these simulators are not available for developing standards in Part 27 rules, e.g. AWS, BRS, EBS, etc.

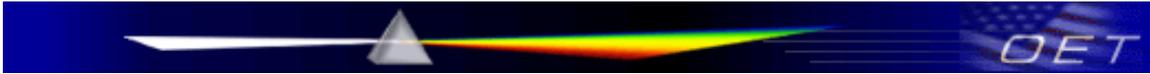
3. Devices that are required to comply specifically with extremity (hands, wrists, feet and ankles) SAR limits. This does not include devices that must comply with body-worn or head exposure conditions.



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Procedures for a Telecommunications Certification Body

1. The TCB must submit a KDB inquiry at www.fcc.gov/labhelp requesting guidance on testing of devices noted above. Guidance should be sought as early as possible to expedite approval of the authorization. Ideally, guidance should be sought before testing begins.
2. The following information should be included in the KDB submittal:
 - a. Select the appropriate Category – use TCB Procedures as the First Category, and Permit But Ask as the Second Category, to ensure the inquiry is directed to the correct expert;
 - b. Rule part under which the device authorization will be requested;
 - c. Description of the device including specific selection of 1 – 3 from the Permit But Ask list above (use the text description), and equipment class;
 - d. Explain the specifics of why this device is in one of the 1-3 Permit but ask categories. For example, Category 1 and 2 – “Devices is a WIMAX VOIP and dual mode GSM phone. There are no test procedures for WIMAX and no commercially available call processing simulators for SAR and HAC testing”.
 - e. Description of the test procedure plan. If the proposed test plan is based on a previously approved procedure, please include either the KDB tracking number or the TC confirmation number.
3. Retain the tracking number of the inquiry, as all future correspondence will be managed through this initial KDB submittal, and the tracking number must be included as a reference to FCC approval in a Comment in the application.
4. When guidance and initial approval is granted based on the KDB submittal, upload the Form 731 and all required exhibits. Enter a Comment with only the KDB Inquiry Tracking number in the comments field.
5. Complete all application submittal requirements, however do not select the Accept Grant button at the end of the Form 731 process. Do not grant until final approval is given from the FCC.
6. Send a follow up inquiry to KDB, using the initial Inquiry Tracking number:

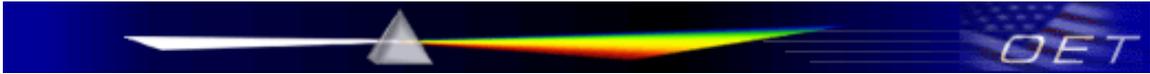


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- a. Include the TC# and FCC ID to allow for FCC review the application submittal;
 - b. All correspondence between the FCC and the TCB will be through the KDB. Therefore, respond to all inquiries related to the application through the KDB using the initial tracking number.
 - c. In addition to responding to correspondence through the KDB, all pertinent exhibits must be uploaded into the Form 731 application; supersede any incorrect exhibits.
7. Receive “approval to grant” from FCC. Enter Comment into application with date of FCC “approval to grant”. Add any additional comments that are required.
 8. Grant application.

FCC Oversight Procedure

1. FCC engineer is assigned KDB inquiry.
2. FCC engineer reviews initial submittal and provides guidance as necessary. Provides initial approval to TCB to upload application.
3. FCC engineer receives follow-up KDB notification of application submittal. Engineer marks Comment with inquiry tracking number as Internal so that the KDB tracking number is not available to the public.
4. FCC engineer reviews application submittal, and if necessary continues a KDB correspondence dialogue with the TCB to address any issues / problems.
5. FCC Engineer continues review process until all necessary exhibits are uploaded and correct.
6. FCC engineer sends “approval to grant” to TCB through the KDB.
7. Process should be expedited to take less than 8 calendar days from day of upload of application to day of “approval to grant”.



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Note regarding automatic removal of applications from the system:

1. Automated e-mail messages regarding exhibits uploaded without application Grant will begin ten days from the date of grant. This is an extension from the current automated e-mail messages beginning at five days from the date of Grant.
1. An application submitted without exhibits is automatically deleted in approximately 72 hours;
2. An application with a single exhibit upload will not be automatically deleted.

