



TELECOMMUNICATIONS  
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May 17, 2013

Attn: Dr. Rashmi Doshi  
Chief, Laboratory Division  
Office of Engineering and Technology  
Federal Communications Commission  
7435 Oakland Mills Rd.  
Columbia, MD 21046

**Re: *Comments of the Telecommunications Industry Association on Draft  
Knowledge Database Publication 648474***

Dear Dr. Doshi:

The Telecommunications Industry Association ("TIA") submits this comment to the Federal Communications Commission's ("FCC") Office of Engineering and Technology ("OET") regarding draft Knowledge Database ("KDB") publication 648474.

TIA has reviewed the language and notes that the burden for testing falls on the third party accessory provider and not the phone manufacturer ("OEM"). TIA agrees that this distinction must be made given that OEMs are independent of such third parties and should not be compelled to enter into relationships with them. Indeed, it is not possible for OEMs even to keep track of the third party accessory marketplace. Additional obligations, therefore, would be completely impracticable and should not be imposed.

Given the foregoing, TIA understands that there are no direct obligations imposed on OEMs by the additional language unless the OEM voluntarily elects to undertake such a relationship and file a Class II permissive change if one is appropriate. Accordingly, TIA understands that the new language requires the third party accessory provider to conduct the required SAR testing and, if a Class II is not agreed upon with

the OEM, to complete a separate filing under a new FCC ID, provided the accessory is an active device.

Due to the importance of the distinction between active and passive devices to the FCC's jurisdiction over third party accessory manufacturers, TIA urges FCC to clearly specify that this new language applies only to active devices – i.e., devices that separately transmit a signal.

TIA requests that FCC confirm the above understanding and, if correct, that FCC revise the language to make clear that there is a separate filing required by the third party, where appropriate.

Respectfully submitted,

**TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

By: /s/ *Brian Scarpelli*

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