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CONTENTION-BASED PROTOCOL EXHIBIT

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To whom it may concern:

Per the guidance published by the FCC for devices operating in the 3650~3700MHz Band under Part 90Z, the following memo provides information to help determine the contention based protocol capability of the 3630SMC. Note, this response makes reference to the FCC WT Docket No. 05-96 with MO&O Adopted May 22, 2007 and Released June 7, 2007.

In order to ensure that the device complies with the requirements of "Restricted" Contention Based Protocol (CBP) the following concerns have been addressed:

Q1: Describe the method to permit occupancy:

A1: The 3630SMC is an WiMAX outdoor access point utilizing an 802.16e PHY and MAC interface. WiMAX , with its SCHEDULING PROTOCOL, as referenced in point "34" ; P.14 of the MO&O Released June 7, 2007 currently stands as the main example of a "restricted" CBP. In its present format, WiMAX Technology effectively prevents interference among multiple transmitters on a single WiMAX system. Different WiMAX systems can be coordinated (at an operator level) to avoid interfering with each other , thus providing each WiMAX device a "reasonable opportunity to operate".

Q2: Describe the action taken if two or more transmitters simultaneously access the same channel by the master and the client devices:

A2: WiMAX employs a SCHEDULING PROTOCOL to avoid interference between system elements.

Q3: Describe opportunities for other similar systems to operate

A3: Other systems implementing the WiMAX protocol can use coordination (at an operator level) to avoid interference. For example, operators can use frequency planning to deploy WiMAX systems in the same band.

WiMax is a designation under the WiMax Forum for certified compliance based upon the harmonized IEEE 802.16/ETSI HiperMAN standard.

You can contact the undersigned if you have any questions.



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