

Summary of Key Changes in the Report and Order (FCC 14-208)

On December 17, 2014 the Commission adopted a Report and Order (FCC 14-208) as part of an ongoing review and update of the Commission's radiofrequency (RF) equipment authorization program.¹ The OET Laboratory is in the process of implementing the Order and as a result of the changes to the equipment authorization program it will be necessary for several KDB Publications to be updated. Revised guidance will be issued over the next few months in the related KDB Publications.

The Order makes the following changes to the program:

- Discontinue FCC acceptance of applications for equipment Certification of RF equipment and instead permit TCBs to process and grant all applications for Certification. All information required in supporting an equipment certification application shall be submitted to the FCC by the TCB issuing the grant of certification. This includes all the information that has been requested to be held confidential
- Codify a pre-approval guidance procedure, currently known as the permit but ask procedure, that TCBs must follow when certifying equipment based on new technology that requires consultation with the FCC – equipment or procedures requiring such pre-approval will be published in a guidance (KDB Publication);
- Clarify a TCB's responsibilities in performing market surveillance of products it has approved;
- Specify steps for addressing instances of deficient TCB performance, including appropriate sanctions for deficiencies that do not warrant rescinding a TCB's authority to issue a grant of Certification;
- Modify the rules to reference new standards (ISO/IEC 17065) used to accredit TCBs that approve RF equipment under Part 2 of the Commission's rules and terminal equipment under Part 68 of the Commission's rules;
- Require accreditation of all laboratories that test equipment subject to any of the certification procedures under Part 2 of the Commission's rules and codify a procedure through which the Commission currently recognizes new laboratory accreditation bodies;
- Update references to industry measurement procedures in the Commission's rules (e.g. ANSI C63.4-2014 and ANSI C63.10-2013); and
- Provide greater flexibility under the Office of Engineering and Technology's (OET) existing delegated authority to enable OET to address minor technical issues that may be raised when updating to the latest versions of industry standards that are referenced in Parts 2, 5, 15, and 18 of the Commission's rules.

¹ The Report and Order (FCC 14-208 in ET Docket No. 13-44) was adopted on December 17, 2014 and released on Dec 30, 2014. (*Order*) The new rules adopted in the *EA Report and Order* will become effective 30 days after publication in the Federal Register.

Revisions to the FCC Equipment Authorization Program Frequently Asked Questions

February 10, 2015

The following is in response to some of the initial questions received regarding the Equipment Authorization Report and Order (FCC 14-208).

Effective Date

The Order is effective 30 days after publication in the Federal Register. Interested parties are encouraged to monitor the Federal Register.

Transition Period

The Order provides for a number of transition periods to implement the new rules. See Section 2.950 for a list of the transition dates. During the transition period for various issues noted below there are provisions for what is needed before, after, and during the transition.

- (1) As of the effective date of the rules the Commission will no longer accept applications for Commission issued grants of equipment certification.
- (2) As of September 15, 2015 all TCBs are required to be accredited to ISO/IEC 17065. Prior to September 15, 2015 accreditation to either ISO/IEC Guide 65 or ISO/IEC 17065 is acceptable. Once the accreditation has been completed the accreditation body needs to notify the designating authority so that they can then upload the new accreditation certificate to FCC Equipment Authorization System (EAS). TCBs do not need to notify the FCC directly.
- (3) Organizations accrediting a TCB or testing laboratory shall be capable of meeting the requirements and conditions of ISO/IEC 17011:2004. No action is required at this time since it is our understanding that all accreditation bodies are already following ISO/IEC 17011:2004.
- (4) A transition period of one year from the effective date of FCC 14-208 is provided for phasing out the “2.948 test site listing” program. As of the effective date of the order the FCC will stop accepting requests to recognize new “2.948 listed test sites”. “2.948 listed test sites” that are recognized as of the effective date of the order may remain recognized for one year from the effective date of the order. “2.948 listed test sites” that are recognized as of the effective date of the order but expire within one year of the effective date of the order may request a renewal to remain recognized until one year from the effective date of the order. FCC recognized “2.948 listed test sites” will be searchable on the FCC website for one year from the effective date of the order. Testing done by “2.948 listed test sites” within the transition period will be accepted in an application for certification if uploaded to the FCC EAS system within 15 months of the effective date of the order. Following the transition date all applications for certification will be required to be based on testing performed by a recognized accredited testing laboratory. A list of recognized accredited testing laboratories is provided at:
<https://apps.fcc.gov/oetcf/eas/reports/TestFirmSearch.cfm>.

- (5) New site validation requirements for measurement facilities used to make radiated emission measurements. When using the procedures in ANSI C63.4 or ANSI C63.10 are used for radiated emission measurements, the test site used shall meet the following site validation requirements:
- As of the effective date of the rules test facilities used to make radiated emission measurements from 30 MHz to 1 GHz are required to meet the site validation requirements in ANSI C63.4-2014.
 - For radiated emissions 1 GHz to 40 GHz the test facility used can use either site validation option in ANSI C63.4-2014 clause 5.5. After the transition date the test facility is required to comply with the site validation requirements in CISPR 16-1-4:2010-04.
- (6) Measurements for intentional radiators subject to Part 15 are to be made using the procedures in ANSI C63.10-2013, “American National Standard of Procedures for Compliance Testing of Unlicensed Wireless Devices”. This standard may not be used until the effective date of the rules and shall be followed after the transition period.
- (7) Measurements for unintentional radiators are to be made using the procedures in ANSI C63.4-2014. This standard may not be used until the effective date of the rules and shall be followed after the transition period.

Measurement Standards

The rules have been updated to reference the revised measurement procedures for unintentional radiators (ANSI C63.4-2014) and intentional radiators (ANSI C63.10-2013). These standards may not be used until the effective date of the rules and shall be followed after the transition period. Note that some exceptions have been provided in the text of the Order, in particular:

- (1) We will continue to accept the use of the “2 dB” method in ANSI C63.4-2003 for demonstrating compliance with the requirement in Section 15.31(i) until we adopt further revisions to the standard. (*See* para 76)
- (2) Based on a request from Inovonics, a transition period was granted to allow for the evaluation of devices manufactured by Inovonics that are designed to be compatible with Inovonics equipment that has already been authorized, we will continue to accept the bandwidth measurement procedure in ANSI C63.4-2003 for purposes of demonstrating that products manufactured by Inovonics meet the frequency hopping requirements for its unlicensed devices in Section 15.247(a)(1)(i) until December 31, 2020. (*See* para 84)

Accredited Testing Laboratories

Testing in support of an application for certification or when the Declaration of Conformity (DoC) procedure is used must be performed by an accredited testing laboratory that is FCC recognized.

When a testing laboratory uses external resources to perform testing, after the transition date, it is required that such testing be performed by testing laboratories that have also been recognized by the Commission as an accredited testing laboratory with the appropriate scope of accreditation.

The following options are available for a testing laboratory to be recognized as an accredited laboratory:

- (1) Testing laboratories located in the United States may be recognized by the FCC if they are accredited by one of the following FCC recognized accreditation bodies: NVLAP, A2LA, ACLASS or LAB.
- (2) Testing laboratories located outside of the United States may be recognized by the FCC if they are designated as an accredited testing laboratory under the terms of government-to-government Mutual Recognition Agreement. See <http://transition.fcc.gov/oet/ea/mra/>
- (3) Testing laboratories located in non MRA countries are not FCC recognized as accredited under the current procedures. The existing procedures are under review and updates will be issued in a KDB Publication.

Due to the expanded requirement for the use of accredited testing laboratories, OET is working on updates to the related KDB publications to address the scope of accreditation required to perform the testing according to the standards the Commission has recognized or incorporated by reference. It is anticipated that it will be necessary for testing laboratories to update their scope of accreditation to list additional standards (measurement procedures).

Testing laboratories that need to obtain accreditation or expand their scope of accreditation are encouraged to start the process immediately so they have the necessary accreditations in place by the end of the transition period.

Accreditation Bodies

The order codifies requirements for recognizing accreditation bodies in Section 2.949.

Under the current procedures accrediting bodies are only recognized to designate testing laboratories within their country to the FCC. Where there is government-to-government MRA the FCC recognized designating authority in the MRA country recognizes the accrediting body.