

October 30, 2019

FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Pivotal Commware Request for Waiver
WTB Docket No. 19-272
Ex Parte Communication

Dear Ms. Dortch:

On October 29, 2019, the undersigned, regulatory counsel to Pivotal Commware, spoke with Jaclyn Rosen in the Wireless Telecommunications Bureau, regarding the above-referenced Request for Waiver. I advised that Pivotal now agrees with AT&T and T-Mobile that the text of the label for Consumer Signal Boosters (“CSBs”) is appropriate for Pivotal’s Echo Subscriber 5G device.¹

Pivotal sets forth below proposed language that tweaks the CSB language to make it better fit the Echo Subscriber device. Further, Pivotal has added language that goes beyond the required CSB text to address additional concerns raised by the Commission.

Revised Proposal for Text of Label

Pivotal now proposes the following text for the label, based on, and showing the changes to, the text of the label required for CSBs:

This ~~is a CONSUMER~~ device MUST be obtained from your wireless provider. This device may not be sold at retail. This device may not be resold.

You MUST have the express consent of your service provider to operate this device.
Unauthorized use is strictly prohibited.

¹ In its Comments, T-Mobile argued that “Pivotal should be required to comply with the labelling requirements for Consumer Signal Boosters when marketing and selling the device.” Comments of T-Mobile USA, Inc., WT Docket No. 19-272, filed Sept. 30, 2019, at 1. Likewise, in its Reply Comments, AT&T stated that it “agrees with T-Mobile that Pivotal’s device is akin to a Consumer Signal Booster, and as such should be subject to the labeling requirements for Consumer Signal Boosters” Reply Comments of AT&T Services, Inc., WT Docket No. 19-272, filed October 7, 2019, at 1.

~~BEFORE USE, you MUST REGISTER THIS DEVICE with your wireless provider and have your provider's consent. Most wireless providers consent to the use of signal boosters. Some providers may not consent to the use of this device on their network. If you are unsure, contact your provider.~~

~~You MUST operate t This device with approved antennas and cables as specified by the manufacturer. Antennas MUST be installed at least 20 cm (8 inches) from any person.~~

You MUST cease operating this device immediately if requested by the FCC or a licensed wireless service provider.

WARNING. E911 location information may not be provided or may be inaccurate for calls served by using this device.

~~(2) The label for Consumer Signal Boosters certified for fixed indoor operation also must include the following language:~~

This device may be operated ONLY in a fixed location for in-building use.

Please do not hesitate to contact the undersigned if you have any questions.

Respectfully submitted

PIVOTAL COMMWARE

/s/ Robert S. Koppel

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