



# PUBLIC NOTICE

Federal Communications Commission  
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**OFFICE OF ENGINEERING AND TECHNOLOGY DECLARES EVOLV  
TECHNOLOGIES, INC. REQUEST FOR WAIVER OF SECTIONS 15.35(b) AND  
15.209(a) TO BE A “PERMIT-BUT-DISCLOSE” PROCEEDING FOR *EX PARTE*  
PURPOSES AND REQUESTS COMMENT**

**ET Docket No. 16-414**

**Comment Date: February 27, 2017**  
**Reply Comment Date: March 15, 2017**

On December 16, 2016, Evolv Technologies, Inc. (Evolv) filed a request for waiver of two Commission rules so it can seek FCC certification to market its Edge personal screening system. This system is designed to detect the presence of concealed metallic and non-metallic threats, including firearms and explosives, on persons entering locations where the Edge system has been deployed.

The Edge screening system is a swept frequency device that operates across a frequency range of 24.0 to 28.8 GHz. It is an open walk-through system that is designed to capture 30 three-dimensional video frames per second of persons passing through it at a fast rate. Section 15.209(a) of the rules requires a device in this frequency range to comply with a field strength limit of 500 microvolts per meter, measured at a distance of 3 meters. Section 15.35(b) requires the use of measuring equipment with an average detector function in determining compliance with this limit. In addition, Section 15.35(b) requires compliance with a peak emission limit that is 20 dB higher than the average limit, which corresponds to a peak emission limit of 5,000 microvolts per meters, measured at a distance of 3 meters. Evolv states that the Edge system would exceed the average field strength limit by 15.4 dB, and the peak emission limit by 22.3 dB, and it requests a waiver of Sections 15.35(b) and 15.209(a) to allow the certification and marketing of this device. It states that these signal levels are necessary for the device to achieve a sufficient signal-to-noise ratio for its operation and to permit it to scan 600 or more persons per hour.

The FCC’s Office of Engineering and Technology (OET) is reviewing the waiver request. OET has concluded that in order to develop a complete record on the issues presented by this request, this proceeding will be treated, for *ex parte* purposes, as "permit-but-disclose" in accordance with Section 1.1200(a) of the Commission’s rules, subject to the requirements under Section 1.1206(b).

Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.149, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs/>.

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Documents in ET Docket No.16-414 are available for viewing on ECFS, <http://www.fcc.gov/cgb/ecfs>, by entering the docket number, ET 16-414. These documents are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties should also send a copy of their filings to Hugh L. Van Tuyl, Office of Engineering and Technology, Federal Communications Commission, Room 7-A132, 445 12th Street, S.W., Washington, D.C. 20554, or by e-mail to [Hugh.VanTuyl@fcc.gov](mailto:Hugh.VanTuyl@fcc.gov).

Office of Engineering and Technology contact: Hugh L. Van Tuyl at 202-418-7506.

By the Chief, Office of Engineering and Technology

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