

## **§2.915**

## **47 CFR Ch. I (10–1–11 Edition)**

### **§2.915 Grant of application.**

(a) The Commission will grant an application for certification if it finds from an examination of the application and supporting data, or other matter which it may officially notice, that:

(1) The equipment is capable of complying with pertinent technical standards of the rule part(s) under which it is to be operated; and,

(2) A grant of the application would serve the public interest, convenience and necessity.

(b) Grants will be made in writing showing the effective date of the grant and any special condition(s) attaching to the grant.

(c) Certification shall not attach to any equipment, nor shall any equipment authorization be deemed effective, until the application has been granted.

[39 FR 5919, Feb. 15, 1974, as amended at 48 FR 3621, Jan. 26, 1983; 62 FR 10470, Mar. 7, 1997; 63 FR 36598, July 7, 1998]

### **§2.917 Dismissal of application.**

(a) An application which is not in accordance with the provisions of this subpart may be dismissed.

(b) Any application, upon written request signed by the applicant or his attorney, may be dismissed prior to a determination granting or denying the authorization requested.

(c) If an applicant is requested by the Commission to file additional documents or information and fails to submit the requested material within 60 days, the application may be dismissed.

[39 FR 5919, Feb. 15, 1974, as amended at 62 FR 10470, Mar. 7, 1997]

### **§2.919 Denial of application.**

If the Commission is unable to make the findings specified in §2.915(a), it will deny the application. Notification to the applicant will include a statement of the reasons for the denial.

### **§2.921 Hearing on application.**

Whenever it is determined that an application for equipment authorization presents substantial factual questions relating to the qualifications of the applicant or the equipment (or the effects of the use thereof), the Commission may designate the application for

hearing. A hearing on an application for an equipment authorization shall be conducted in the same manner as a hearing on a radio station application as set out in subpart B of part 1 of this chapter.

### **§2.923 Petition for reconsideration; application for review.**

Persons aggrieved by virtue of an equipment authorization action may file with the Commission a petition for reconsideration or an application for review. Rules governing the filing of petitions for reconsideration and applications for review are set forth in §§1.106 and 1.115, respectively, of this chapter.

### **§2.924 Marketing of electrically identical equipment having multiple trade names and models or type numbers under the same FCC Identifier.**

The grantee of an equipment authorization may market devices having different model/type numbers or trade names without additional authorization from the Commission, provided that such devices are electrically identical and the equipment bears an FCC Identifier validated by a grant of equipment authorization. A device will be considered to be electrically identical if no changes are made to the device authorized by the Commission, or if the changes made to the device would be treated as class I permissive changes within the scope of §2.1043(b)(1). Changes to the model number or trade name by anyone other than the grantee, or under the authorization of the grantee, shall be performed following the procedures in §2.933.

[62 FR 10470, Mar. 7, 1997, as amended at 63 FR 36598, July 7, 1998]

### **§2.925 Identification of equipment.**

(a) Each equipment covered in an application for equipment authorization shall bear a nameplate or label listing the following:

(1) FCC Identifier consisting of the two elements in the exact order specified in §2.926. The FCC Identifier shall be preceded by the term *FCC ID* in capital letters on a single line, and shall