

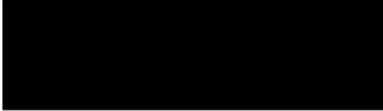


Federal Communications Commission
Washington, D.C. 20554

March 27, 2024

VIA ELECTRONIC MAIL

Theodora Scarato



RE: FOIA Control No. 2025-000210

Dear Ms. Scarato,

This is in reply to the Freedom of Information Act (FOIA) request you submitted to the Federal Communications Commission (FCC or Commission) on November 5, 2024. You request “ALL emails (including any attachments to the emails) and other records (including reports, meeting notes) related to communication between(to or from) Jake Novicky (Jake.Novicky@fcc.gov) and the following two individuals (one or the other or both) mark_neumann@apple.com and/or Abhishek Rala from Apple for the time period of July 1, 2023 through March 30, 2024.”¹

Your request was assigned FOIA Control No. 2025-000210 and referred to the Office of Engineering and Technology (OET). OET conducted a search and found five records responsive to your request, two of which with one attachment each. We are providing these records in full with this letter.

We are required by both the FOIA and the Commission’s rules to charge requesters certain fees associated with the costs of searching for, reviewing, and duplicating the sought-after information.² To calculate the appropriate fee, requesters are classified as: (1) commercial use requesters; (2) educational requesters, non-commercial scientific organizations, or representatives of the news media; or (3) all other requesters.³

Pursuant to section 0.466(a)(5)-(7) of the Commission’s rules, you have been classified as category (2), “educational requesters, non-commercial scientific organizations, or representatives of the news media.”⁴ As an “educational requester, non-commercial scientific organization, or representative of the news media,” the Commission assesses charges to recover the cost of reproducing the records requested, excluding the cost of reproducing the first 100 pages. The production in response to your request was provided in electronic form. Therefore, you will not be charged any fees.

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be *received* by the

¹ FOIA Control No. 2025-000210 (submitted Nov. 5, 2024).

² See 5 U.S.C. § 552(a)(4)(A); 47 CFR § 0.470.

³ 47 CFR § 0.470.

⁴ 47 CFR § 0.466(a)(5)-(7).

Commission within 90 calendar days of the date of this letter.⁵ You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 45 L Street NE, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as “Review of Freedom of Information Action.”

If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission’s FOIA Public Liaison for assistance at:

FOIA Public Liaison
Federal Communications Commission
Office of the Managing Director
Performance Evaluation and Records Management
45 L Street NE, Washington, DC 20554
202-418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission’s FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman’s office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road–OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
<https://www.archives.gov/ogis>

Sincerely,



Ira Keltz
Acting Chief
Office of Engineering & Technology

cc: FOIA Office

Attachments

⁵ 47 CFR §§ 0.461(j), 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

From: [Jake Novicky](#)
To: [Abhishek Rala](#); [Vandita Pai Raikar](#)
Cc: [Greg Kiemel](#); [Kanishk Sharma](#); [Yu Chen](#)
Subject: RE: [EXTERNAL]: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request
Date: Wednesday, January 31, 2024 1:39:00 PM
Attachments: [iPhone 12 Astro Mode error.jpg](#)

Hi Vandita,

I have encountered some difficulty. Somehow, I got the device in Astro mode and I can't seem to exit out of it. I have tried shutting off the phone by holding in the power button and the volume down key, putting it in diag mode, gui mode, and even selecting 10) reset from one of the script menus to no avail. There are no software based back arrows either. My last resort was going to be it let it run out of battery and hope it resets. Before I did that I was hoping you can provide some assistance. I have attached a screenshot of the error.

Thank you for your continued support.

1 attachment

Best Regards,

Jake Novicky

From: Abhishek Rala <arala@apple.com>
Sent: Tuesday, January 9, 2024 1:02 AM
To: Vandita Pai Raikar <vpairaikar@apple.com>
Cc: Jake Novicky <Jake.Novicky@fcc.gov>; Greg Kiemel <gkiemel@apple.com>; Kanishk Sharma <kanishk_sharma@apple.com>; Yu Chen <yu_chen2@apple.com>
Subject: [EXTERNAL]: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request

CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Thanks Vandita,

All, Let us keep update on this thread to avoid any delay

Thx

Abhishek

On Jan 5, 2024, at 10:55, Vandita Pai Raikar <vpairaikar@apple.com> wrote:

Hi Jake,

Thank you for your patience during the debug session. Hopefully you should be able to proceed with your testing.

If you have any questions or blockers, please feel free to reach out to me or any of us in the email thread and we will be happy to help unblock you.

Thank you

Vandita

Begin forwarded message:

From: Jake Novicky <Jake.Novicky@fcc.gov>

Subject: RE: [EXTERNAL]: Re: Apple iPhone 12

Information Request

Hi Abhishek,

Just FYI, the market sample did eventually arrive. Thank you. However, with regards to the engineering sample I have been having no luck at all with any of the scripts. I have tried the scripts for the different technologies (2G, 3G, 4G, etc.) and for different antennas and none of them seem to be working. The errors range from timeout errors to the script not working at all. I will need some additional support to get them working.

Also, is there a direct way to control the activation or deactivation of the Time-Averaging SAR algorithm on the engineering sample? Finally, is there a direct way to control the activation or deactivation of the body detect mechanism/motion sensor on the engineering sample?

Thank you for your assistance.

Best Regards,

From: [Abhishek Rala](#)
To: [Jake Novicky](#)
Cc: [Greg Kiemel](#)
Subject: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request
Date: Wednesday, January 3, 2024 5:29:50 PM

Sure Jake. I was thinking same.
@Greg please

Sent from my iPhone

On Jan 3, 2024, at 11:29, Jake Novicky <Jake.Novicky@fcc.gov> wrote:

Lets, plan on Friday just to be on the safe side. I am available in the same time frame, 9:30 am Pacific time, i.e. 12:30 pm Eastern Time or any time after that on Friday.
~Jake

From: Abhishek Rala <arala@apple.com>
Sent: Wednesday, January 3, 2024 2:00 PM
To: Jake Novicky <Jake.Novicky@fcc.gov>
Cc: Greg Kiemel <gkiemel@apple.com>
Subject: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request

Hi Jake,

A few folks are on a flight tomorrow, returning at noon. Hence, if there are no flight delays, we will be good at @12:30 PST (3:30 EST). Will that work with you?

@Greg, Please set up tomorrow once Jake confirms.

Thanks with regards

Abhishek Rala

On Jan 3, 2024, at 08:25, Jake Novicky <Jake.Novicky@fcc.gov> wrote:

Hi Abhishek,

I am actually teleworking today so I am not in the lab. Would tomorrow, Thursday January 4th work? I could do 9:30 am Pacific time, i.e. 12:30 pm Eastern Time or any time after that.

Thanks,

Jake

From: Abhishek Rala <arala@apple.com>
Sent: Tuesday, January 2, 2024 6:40 PM
To: Jake Novicky <Jake.Novicky@fcc.gov>; Greg Kiemel <gkiemel@apple.com>
Subject: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request

Hi Jake,

Please provide few slots tomorrow (Jan 3). @Greg copied would setup

webex with you to talk to our engineers.

It would be great if you can share screen shots of the error/issues. Please feel free to call me 6507038831

Thanks with regards

Abhishek Rala.

On Dec 14, 2023, at 10:45, Jake Novicky

<Jake.Novicky@fcc.gov> wrote:

Hi Abhishek,

Just FYI, the market sample did eventually arrive. Thank you. However, with regards to the engineering sample I have been having no luck at all with any of the scripts. I have tried the scripts for the different technologies (2G, 3G, 4G, etc.) and for different antennas and none of them seem to be working. The errors range from timeout errors to the script not working at all. I will need some additional support to get them working.

Also, is there a direct way to control the activation or deactivation of the Time-Averaging SAR algorithm on the engineering sample? Finally, is there a direct way to control the activation or deactivation of the body detect mechanism/motion sensor on the engineering sample?

Thank you for your assistance.

Best Regards,

Jake

FCC FOIA Control No. 2025-000210 Released to Theodora Scarato

From: [Abhishek Rala](#)
To: [Jake Novicky](#); [Mark Neumann](#); [Greg Kiemel](#)
Subject: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request
Date: Tuesday, January 2, 2024 6:21:16 PM

Hi Jake,

Sorry, I was OOO, followed by the company shutdown for holidays. We opened today.

I am working to get you support ASAP.

Thanks
BR/A

On Dec 21, 2023, at 05:28, Jake Novicky <Jake.Novicky@fcc.gov> wrote:

Greetings Abhishek,

I just wanted to follow up on the email I sent last Thursday, December 14. Are you or someone at Apple able to provide me with some assistance? This is a very urgent matter.

Best Regards,

[Jake Novicky](#)
Electronics Engineer
Federal Communications Commission
Office of Engineering and Technology Laboratory Division
7435 Oakland Mills Rd.
Columbia, MD 21046-1609
Phone: 301-362-3027
Fax: 301-362-3290
Email: Jake.Novicky@fcc.gov

This communication and its attachment(s) contain information from the FCC, and is intended for the exclusive use of the recipient(s) named above. It may contain information that is confidential and/or legally privileged. Any unauthorized use that may compromise that confidentiality via distribution or disclosure is prohibited. Please notify the sender immediately if you receive this communication in error, and delete it from your computer system. Usage of FCC email addresses for non-business related activities is strictly prohibited. No warranty is made that this e-mail or its attachment(s) are free from computer viruses or other malicious software. Thank you.

From: Jake Novicky

Sent: Thursday, December 14, 2023 1:46 PM

To: Abhishek Rala <arala@apple.com>

Subject: RE: [EXTERNAL]: Re: Apple iPhone 12 Information Request

Hi Abhishek,

Just FYI, the market sample did eventually arrive. Thank you.

However, with regards to the engineering sample I have been having no luck at all with any of the scripts. I have tried the scripts for the different technologies (2G, 3G, 4G, etc.) and for different antennas and none of them seem to be working. The errors range from timeout errors to the script not working at all. I will need some additional support to get them working.

Also, is there a direct way to control the activation or deactivation of the Time-Averaging SAR algorithm on the engineering sample? Finally, is there a direct way to control the activation or deactivation of the body detect mechanism/motion sensor on the engineering sample?

Thank you for your assistance.

Best Regards,

Jake

FCC FOIA Control No. 2025-000210 Released to Theodora Scarato

From: [Jake Novicky](#)
To: ["Abhishek Rala"](#)
Cc: [Mark Neumann](#)
Bcc: [Dusmantha Tennakoon](#)
Subject: RE: [EXTERNAL]: Re: Apple iPhone 12 Information Request
Date: Thursday, December 28, 2023 7:36:00 AM
Importance: High

Hi Abhishek,

Any response to my previous emails? It is vital that I hear from you soon. As I mentioned in the last email I sent a week ago this is a high priority item. Please respond.

Best Regards,

Jake Novicky
Electronics Engineer
Federal Communications Commission
Office of Engineering and Technology Laboratory Division
7435 Oakland Mills Rd.
Columbia, MD 21046-1609
Phone: 301-362-3027
Fax: 301-362-3290
Email: Jake.Novicky@fcc.gov

This communication and its attachment(s) contain information from the FCC, and is intended for the exclusive use of the recipient(s) named above. It may contain information that is confidential and/or legally privileged. Any unauthorized use that may compromise that confidentiality via distribution or disclosure is prohibited. Please notify the sender immediately if you receive this communication in error, and delete it from your computer system. Usage of FCC email addresses for non-business related activities is strictly prohibited. No warranty is made that this e-mail or its attachment(s) are free from computer viruses or other malicious software. Thank you.

From: Jake Novicky

Sent: Thursday, December 21, 2023 8:29 AM

To: 'Abhishek Rala' <arala@apple.com>

Subject: RE: [EXTERNAL]: Re: Apple iPhone 12 Information Request

Greetings Abhishek,

I just wanted to follow up on the email I sent last Thursday, December 14. Are you or someone at Apple able to provide me with some assistance? This is a very urgent matter.

Best Regards,

Jake Novicky
Electronics Engineer
Federal Communications Commission
Office of Engineering and Technology Laboratory Division
7435 Oakland Mills Rd.
Columbia, MD 21046-1609
Phone: 301-362-3027
Fax: 301-362-3290
Email: Jake.Novicky@fcc.gov

This communication and its attachment(s) contain information from the FCC, and is intended for the exclusive use of the recipient(s) named above. It may contain information that is confidential and/or legally privileged. Any unauthorized use that may compromise that confidentiality via distribution or disclosure is prohibited. Please notify the sender immediately if you receive this communication in error, and delete it from your computer system. Usage of FCC email addresses for non-business related activities is strictly prohibited. No warranty is made that this e-mail or its attachment(s) are free from computer viruses or other malicious software. Thank you.

From: Jake Novicky

Sent: Thursday, December 14, 2023 1:46 PM

To: Abhishek Rala <arala@apple.com>

Subject: RE: [EXTERNAL]: Re: Apple iPhone 12 Information Request

Hi Abhishek,

Just FYI, the market sample did eventually arrive. Thank you.

However, with regards to the engineering sample I have been having no luck at all with any of the scripts. I have tried the scripts for the different technologies (2G, 3G, 4G, etc.) and for different antennas and none of them seem to be working. The errors range from timeout errors to the script not working at all. I will need some additional support to get them working.

Also, is there a direct way to control the activation or deactivation of the Time-Averaging SAR algorithm on the engineering sample? Finally, is there a direct way to control the activation or deactivation of the body detect mechanism/motion sensor on the engineering sample?

Thank you for your assistance.

Best Regards,

Jake

FCC FOIA Control No. 2025-000210 Released to Theodora Scarato

From: [Abhishek Rala](#)
To: [Jake Novicky](#)
Cc: [Mark Neumann](#); [Greg Kiemel](#); [Muli Kifle](#); [Dusmantha Tennakoon](#); [Alfonso Tarditi](#); [Reza Biazaran](#)
Subject: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request
Date: Wednesday, November 29, 2023 1:49:31 PM

You are welcome Jake. Please feel free anytime you need help during the Audit.

On Nov 30, 2023, at 00:12, Jake Novicky <Jake.Novicky@fcc.gov> wrote:

Ok I will check with our mailroom. Thanks Abhishek.
~Jake

From: Abhishek Rala <arala@apple.com>
Sent: Wednesday, November 29, 2023 1:40 PM
To: Jake Novicky <Jake.Novicky@fcc.gov>
Cc: Mark Neumann <mark_neumann@apple.com>; Greg Kiemel <gkiemel@apple.com>; Muli Kifle <Muli.Kifle@fcc.gov>; Dusmantha Tennakoon <Dusmantha.Tennakoon@fcc.gov>; Alfonso Tarditi <Alfonso.Tarditi@fcc.gov>; Reza Biazaran <Reza.Biazaran@fcc.gov>
Subject: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request
Hi Jake,
It is delivered. Please see Fedex tracker.
<image001.png>
Thanks with regards
Abhishek

On Nov 29, 2023, at 23:52, Jake Novicky <Jake.Novicky@fcc.gov> wrote:
Hi Mark,
An update on the status of acquiring an unopened iPhone 12?
Thanks,
Jake Novicky

From: Mark Neumann <mark_neumann@apple.com>
Sent: Wednesday, November 15, 2023 12:05 PM
To: Jake Novicky <Jake.Novicky@fcc.gov>
Cc: Abhishek Rala <arala@apple.com>; Greg Kiemel <gkiemel@apple.com>; Muli Kifle <Muli.Kifle@fcc.gov>; Dusmantha Tennakoon <Dusmantha.Tennakoon@fcc.gov>; Alfonso Tarditi <Alfonso.Tarditi@fcc.gov>
Subject: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request
Hi Jake,
We're working to get an unopened unit and will provide you with an ETA as soon as we obtain one. In the meantime, please let know if you need any assistance from us on setup of the units provided.
Thanks,

Mark

FCC FOIA Control No. 2025-000210 Released to Theodora Scarato

On Nov 14, 2023, at 12:52 PM, Jake Novicky

<Jake.Novicky@fcc.gov> wrote:

Hi Abhishek,

We have received the samples. However, it is not quite what we asked for. In the sample request we asked for 1 radiated sample, 1 conducted sample, and 1 new, unopened, unlocked (not carrier locked) sample. You provided a 1 radiated sample and 2 conducted samples. Is it possible to provide us with 1 new, unopened, unlocked (not carrier locked) sample? We understand this may be difficult because the iPhone 12 is the model from 3 years ago but please confirm if it is or is not possible to provide us with this new, unopened, unlocked (not carrier locked) sample.

Thank you,

Jake Novicky

Electronics Engineer

Federal Communications Commission

Office of Engineering and Technology Laboratory Division

7435 Oakland Mills Rd.

Columbia, MD 21046-1609

Phone: 301-362-3027

Fax: 301-362-3290

Email: Jake.Novicky@fcc.gov

This communication and its attachment(s) contain information from the FCC, and is intended for the exclusive use of the recipient(s) named above. It may contain information that is confidential and/or legally privileged. Any unauthorized use that may compromise that confidentiality via distribution or disclosure is prohibited. Please notify the sender immediately if you receive this communication in error, and delete it from your computer system. Usage of FCC email addresses for non-business related activities is strictly prohibited. No warranty is made that this e-mail or its attachment(s) are free from computer viruses or other malicious software. Thank you.

FCC FOIA Control No. 2025-000210 Released to Theodora Scarato

From: Abhishek Rala <arala@apple.com>

Sent: Friday, November 10, 2023 5:36 PM

To: Jake Novicky <Jake.Novicky@fcc.gov>

Cc: Mark Neumann <mark_neumann@apple.com>; Greg

Kiemel <gkiemel@apple.com>; Muli Kifle

<Muli.Kifle@fcc.gov>; Dusmantha Tennakoon

<Dusmantha.Tennakoon@fcc.gov>; Alfonso Tarditi

<Alfonso.Tarditi@fcc.gov>

Subject: Re: [EXTERNAL]: Re: Apple iPhone 12 Information Request

Hi Jake,

We shipped immediately and shows delivered in the morning. Please confirm.

Please feel free to reach to us any time.

<image001.png>

Thanks with regards

Abhishek Rala

arala@apple.com

+16507038831

On Nov 9, 2023, at 10:07, Abhishek Rala

<arala@apple.com> wrote:

Good Day Jake,

Thanks for the email confirmation. I was waiting for your response per my emails on 9/22 and 9/25 to confirm which exact model you wanted to test, as the model subjected to the French injunction was different than the model we sell in the US. Hence, I wanted to ensure we are aligned with you before shipping. The samples with the model/FCC ID requested are ready and will be shipped immediately.

Please feel free if anything needed.

Thanks with regards

Abhishek Rala

arala@apple.com

+16507038831

On Nov 9, 2023, at 06:20, Jake Novicky <Jake.Novicky@fcc.gov> wrote:

Hi Abhishek,

I just wanted to make you aware that we have not received the iPhone 12 samples as requested. Sample requests for 3 - iPhones 12s, FCC ID: BCG-E3544A, went to arala@apple.com on October 10, 2023 and a second notice was sent on November 1, 2023. Be

advised that per 47 CFR §2.945(b) there is a 21-day time limit for complying with an official sample request. Please provide a status update on these sample requests.

Best Regards,

Jake Novicky
Electronics Engineer
Federal Communications
Commission
Office of Engineering and
Technology Laboratory Division
7435 Oakland Mills Rd.
Columbia, MD 21046-1609
Phone: 301-362-3027
Fax: 301-362-3290
Email: Jake.Novicky@fcc.gov

This communication and its attachment(s) contain information from the FCC, and is intended for the exclusive use of the recipient(s) named above. It may contain information that is confidential and/or legally privileged. Any unauthorized use that may compromise that confidentiality via distribution or disclosure is prohibited. Please notify the sender immediately if you receive this communication in error, and delete it from your computer system. Usage of FCC email addresses for non-business related activities is strictly prohibited. No warranty is made that this e-mail or its attachment(s) are free from computer viruses or other malicious software. Thank you.

From: Abhishek Rala

[<arala@apple.com>](mailto:arala@apple.com)

Sent: Monday, September 25,
2023 12:25 PM

To: Mark Neumann

[<mark_neumann@apple.com>](mailto:mark_neumann@apple.com);

Jake Novicky

[<Jake.Novicky@fcc.gov>](mailto:Jake.Novicky@fcc.gov)

Cc: Greg Kiemel

[<gkiemel@apple.com>](mailto:gkiemel@apple.com); Muli Kifle

[<Muli.Kifle@fcc.gov>](mailto:Muli.Kifle@fcc.gov); Dusmantha
Tennakoon

[<Dusmantha.Tennakoon@fcc.gov>](mailto:Dusmantha.Tennakoon@fcc.gov)

>; Alfonso Tarditi

<Alfonso.Tarditi@fcc.gov>

Subject: [EXTERNAL]: Re: Apple
iPhone 12 Information Request

CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Hi Jake,

Please confirm ASAP as this
delaying the device we need to
prepare.

Thanks & regards

Abhishek Rala

On Sep 22, 2023, at
15:58, Abhishek Rala
<arala@apple.com>

wrote:

Hi Jake and Team,

We plan to prepare
France model iPhone
12, FCCID BCG-
E3544A, Model No.

A2403. for your
audit. Please let me
know ASAP, if you
want a different one.

Please feel free to
call me at 1 (650)
703-8831 if needed
as this is time
sensitive request

Thanks with regards

Abhishek Rala