



State of West Virginia
Joe Manchin III, Governor

WV Office of Miners' Health, Safety & Training
Ronald L. Wooten, Director
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July 31, 2007

Kevin Dickey
SubterraCom Wireless Solutions, LLC
2 Tower Center, Suite 1202
East Brunswick, NJ 08816

Subject: Verification of functionality of the SubterraCom Wireless Solutions LLC, SubTerra Mine System™
under WV Legislative Rule Title 56, Series 4 Governing Protective Clothing and Equipment

Sir:

After the evaluation of the documentation submitted and with the recommendation of our technical reviewers the WV Office of Miner's Health Safety and Training verifies that the SubterraCom Wireless Solutions, LLC, SubTerra Mine System™ has demonstrated functionality such as would allow WV underground mining permit holders to meet all or part of their requirements for emergency communications and tracking outlined in the West Virginia Legislative Rule Governing Protective Clothing and Equipment, 56CSR4-8 and will be included in the listing of approved devices.

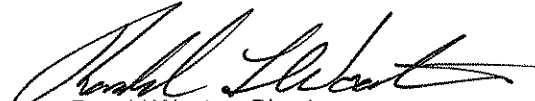
This transmittal does not negate the necessity of intrinsic safety approval from the U. S. Department of Labor, Mine Safety and Health Administration (MSHA). Upon receipt of such, please submit a copy along with your request for modification products listing.

SubterraCom Wireless Solutions, LLC, SubTerra Mine System™ shall, upon request, provide this office with verification of valid orders, delivery dates, and status of delivery as required for this office to enforce 56CSR4-8. Additionally, SubterraCom Wireless Solutions, LLC will notify this office as soon as it is determined that circumstances have arisen that will impact the delivery dates quoted as part of an approved mine communication/tracking plan.

SubterraCom Wireless Solutions, LLC will provide additional information on the functionality of the SubTerra Mine System™ in differing mine environments as it becomes available. Upon validation of the additional functionality the information will be appended to that made available by this office to mine operators.

Any changes required or enhancements to the approved design affecting the ability to meet any provision of 56CSR4-8 shall require approval of this office prior to any affected SubTerra Mine System™ being placed into operation.

Sincerely,


Ronald Wooten, Director
Office of Miners' Health and Safety