APPENDIX C: FINAL RULES

PART 15 – RADIO FREQUENCY DEVICES

1. The authority citation for Part 15 continues to read as follows:

Authority: 47 U.S.C. 154, 302, 303, 304, 307, 336, and 544A.

2. Section 15.301 is amended as follows:

§ 15.301 Scope.

This subpart sets out the regulations for unlicensed personal communications services (PCS) devices operating in the 1915-1930 MHz and 2390-2400 MHz frequency bands.

3. Paragraph (g) of Section 15.303 is amended as follows:

§ 15.303 Definitions.

* * * * *

(g) *Personal Communications Services (PCS) Devices [Unlicensed].* Intentional radiators operating in the frequency bands 1915-1930 MHz and 2390-2400 MHz that provide a wide array of mobile and ancillary fixed communication services to individuals and businesses.

* * * * *

4. Section 15.311 is amended as follows:

§ 15.311 Labeling requirements.

In addition to the labeling requirements of §15.19(a)(3), all devices operating in the frequency band 1915-1930 MHz authorized under this subpart must bear a prominently located label with the following statement: * * *

5. Paragraph (a) of Section 15.319 is amended as follows:

§ 15.319 General technical requirements.

(a) The 1915-1920 MHz and 2390-2400 MHz bands are limited to use by asynchronous devices under the requirements of § 15.321. * * *

* * * * *

6. Paragraphs (a) and (b) of Section 15.321 is amended as follows:

§ 15.321 Specific requirements for asynchronous devices operating in the 1915-1920 MHz and 2390-2400 MHz bands.

(a) Operation shall be contained within either or both of the 1915-1920 MHz and 2390-2400 MHz bands. * * *

(b) All systems of less than 2.5 MHz emission bandwidth shall start searching for an available spectrum window within 3 MHz of the band edge at 1915, 1920, 2390, or 2400 MHz while systems of more than 2.5 MHz emission bandwidth will first occupy the center half of the band. * * *

* * * * *

Part 22 of title 47 of the Code of Federal Regulations is revised to read as follows:

PART 22 – PUBLIC MOBILE SERVICES

7. The authority citation for Part 22 continues to read as follows:

AUTHORITY: 47 U.S.C. 154, 222, 303, 309 and 332.

8. The following sections are added immediately after the text of Section 22.969:

§ 22.970 Unacceptable interference to Part 90 non-cellular 800 MHz licensees from cellular radiotelephone or Part 90 ESMR systems.

) *Definition.* Except as provided in 47 C.F.R. §90.617(k), unacceptable interference to non-cellular Part 90 licensees in the 800 MHz band will be deemed to occur when the below conditions are met:

(1) A transceiver at a site at which interference is encountered:

(i) Is in good repair and operating condition, and is receiving:

(A) A median desired signal of -104 dBm or higher, as measured at the R.F. input of the receiver of a mobile unit; or

(B) A median desired signal of -101 dBm or higher, as measured at the R.F. input of the receiver of a portable *i.e.* hand-held unit; and, either

(ii) Is a voice transceiver:

(A) with manufacturer published performance specifications for the receiver section of the transceiver equal to, or exceeding, the minimum standards set out in Section (b), below; and;

(B) Receiving an undesired signal or signals which cause the measured Carrier to Noise plus Interference (C/(I+N)) ratio of the receiver section of said transceiver to be less than 20 dB, or.

(iii) Is a non-voice transceiver receiving an undesired signal or signals which cause the measured bit error rate (BER) (or some comparable specification) of the receiver section of said transceiver to be more than the value reasonably designated by the manufacturer.

(2) Provided, however, that if the receiver section of the mobile or portable voice transceiver does not conform to the standards set out in paragraph (b), below, then that transceiver shall be deemed subject to unacceptable interference only at sites where the median desired signal satisfies the applicable threshold measured signal power in paragraphs (a)(1)(i) after an upward adjustment to account for the difference in receiver section performance. The upward adjustment shall be equal to the increase in the desired signal required to restore the receiver section of the subject transceiver to the 20 dB C/(I+N) ratio of paragraph (a)(1)(iv)(a) above. The adjusted threshold levels shall then define the minimum measured signal power(s) in lieu of paragraphs (a) (1) (i) at which the licensee using such non-compliant transceiver is entitled to interference protection.

(b) *Minimum Receiver Requirements.* Voice transceivers capable of operating in the 806-824

MHz portion of the 800 MHz band shall have the following minimum performance specifications in order for the system in which such transceivers are used to claim entitlement to full protection against unacceptable interference. (See paragraph (a) (2) above.)

(1) Voice units intended for mobile use: 75 dB intermodulation rejection ratio; 75 dB adjacent channel rejection ratio; -116 dBm reference sensitivity.

(2) Voice units intended for portable use: 70 dB intermodulation rejection ratio; 70 dB adjacent channel rejection ratio; -116 dBm reference sensitivity.

§ 22.971 Obligation to abate unacceptable interference.

(a) *Strict Responsibility.* Any licensee who, knowingly or unknowingly, directly or indirectly, causes or contributes to causing unacceptable interference to a non-cellular Part 90 licensee in the 800 MHz band, as defined in § 22.970 of this chapter, shall be strictly accountable to abate the interference, with full cooperation and utmost diligence, in the shortest time practicable. Interfering licensees shall consider all feasible interference abatement measures, including, but not limited to, the remedies specified in the interference resolution procedures set forth in § 22.972 of this chapter. This strict responsibility obligation applies to all forms of interference, including out-of-band emissions and intermodulation.

(b) *Joint and Several Responsibility.* If two or more licensees knowingly or unknowingly, directly or indirectly, cause or contribute to causing unacceptable interference to a non-cellular Part 90 licensee in the 800 MHz band, as defined in § 22.970 of this chapter, such licensees shall be jointly and severally responsible for abating interference, with full cooperation and utmost diligence, in the shortest practicable time.

(1) This joint and several responsibility rule requires interfering licensees to consider all feasible interference abatement measures, including, but not limited to, the remedies specified in the interference resolution procedures set forth in § 22.972(c) of this chapter. This joint and several responsibility rule applies to all forms of interference, including out-of-band emissions and intermodulation.

(2) Any licensee that can show that its signal does not directly or indirectly, cause or contribute to causing unacceptable interference to a non-cellular Part 90 licensee in the 800 MHz band, as defined in this chapter, shall not be held responsible for resolving unacceptable interference. Notwithstanding, any licensee that receives an interference complaint from a public safety/CII licensee shall respond to such complaint consistent with the interference resolution procedures set forth in this chapter.

§ 22.972 Interference resolution procedures.

(a) *Initial Notification.* (1) Cellular Radiotelephone licensees may receive initial notification of interference from non-cellular Part 90 licensees in the 800 MHz band pursuant to § 90.674(a) of this chapter.

(2) Cellular Radiotelephone licensees, in conjunction with Part 90 ESMR licensees, shall establish an electronic means of receiving the initial notification described in § 90.674(a) of this chapter. The electronic system must be designed so that all appropriate Cellular Radiotelephone licensees and Part 90 ESMR licensees can be contacted about the interference incident with a single notification. The electronic system for receipt of initial notification of interference complaints must

be operating no later than **[Thirty days from effective date of *Report and Order*]**.

(3) Cellular Radiotelephone licensees must respond to the initial notification described in § 90.674(a) of this chapter, as soon as possible and no later than 24 hours after receipt of notification from a Part 90 public safety/CII licensee. This response time may be extended to 48 hours after receipt from other Part 90 non-cellular licensees provided affected communications on these systems are not safety related.

(b) *Interference Analysis.* Cellular Radiotelephone licensees – who receive an initial notification described in § 90.674(a) of this chapter – shall perform a timely analysis of the interference to identify the possible source. Immediate on-site visits may be conducted when necessary to complete timely analysis. Interference analysis must be completed and corrective action initiated within 48 hours of the initial complaint from a Part 90 public safety/CII licensee. This response time may be extended to 96 hours after the initial complaint from other Part 90 non-cellular licensees provided affected communications on these systems are not safety related. Corrective action may be delayed if the affected licensee agrees in writing (which may be, but is not required to be, recorded via e-mail or other electronic means) to a longer period.

(c) *Mitigation Steps.* (1) All Cellular Radiotelephone and Part 90 ESMR licensees who are responsible for causing unacceptable interference shall take all affirmative measures to resolve such interference. Cellular Radiotelephone licensees found to contribute to unacceptable interference, as defined in § 22.970, shall resolve such interference in the shortest time practicable. Cellular Radiotelephone licensees and Part 90 ESMR licensees must provide all necessary test apparatus and technical personnel skilled in the operation of such equipment as may be necessary to determine the most appropriate means of timely eliminating the interference. However, the means whereby interference is abated or the cell parameters that may need to be adjusted is left to the discretion of the Cellular Radiotelephone and/or Part 90 ESMR licensees, whose affirmative measures may include, but not be limited to, the following techniques:

(i) increasing the desired power of the public safety/CII signal;

(ii) decreasing the power of the Part 90 ESMR and/or Cellular Radiotelephone system signal;

(iii) modifying the Part 90 ESMR and/or Cellular Radiotelephone system antenna height;

(iv) modifying the Part 90 ESMR and/or Cellular Radiotelephone system antenna characteristics;

(v) incorporating filters into Part 90 ESMR and/or Cellular Radiotelephone transmission equipment;

(vi) permanently changing Part 90 ESMR and/or Cellular Radiotelephone frequencies; and

(vii) supplying interference-resistant receivers to the affected public safety/CII licensee(s). If this technique is used, in all circumstances, Cellular Radiotelephone and/or Part 90 ESMR licensees shall be responsible for all costs thereof.

(2) Whenever short-term interference abatement measures prove inadequate, the affected Part 90 non-cellular licensee shall, consistent with but not compromising safety, make all necessary

concessions to accepting interference until a longer-term remedy can be implemented.

(3) *Discontinuing operations when clear imminent danger exists.* When a Part 90 public safety licensee determines that a continuing presence of interference constitutes a clear and imminent danger to life or property, the licensee causing the interference must discontinue the associated operation immediately, until a remedy can be identified and applied. The determination that a continuing presence exists that constitutes a clear and imminent danger to life or property, must be made by written statement that:

(i) is in the form of a declaration, notarized affidavit, or statement under penalty or perjury, from an officer or executive of the affected public safety licensee;

(ii) thoroughly describes the basis of the claim of clear and imminent danger;

(iii) was formulated on the basis of either personal knowledge or belief after due diligence;

(iv) is not proffered by a contractor or other third party; and

(v) has been approved by the Chief of the Wireless Telecommunication Bureau or other designated Commission official. Prior to the authorized official making a determination that a clear and imminent danger exists, the associated written statement must be served by hand-delivery or receipted fax on the applicable offending licensee, with a copy transmitted by the fastest available means to the Washington, D.C. office of the Commission's Wireless Telecommunications Bureau.

§ 22.973 Information exchange.

(a) *Prior Notification.* Public safety/CII licensees may notify a Part 90 ESMR or cellular radiotelephone licensee that they wish to receive prior notification of the activation or modification of Part 90 ESMR or cellular radiotelephone cell sites in their area. Thereafter, the Part 90 ESMR or cellular radiotelephone licensee must provide the following information to the public safety/CII licensee at least 10 business days before a new cell site is activated or an existing cell site is modified:

(1) location;

(2) effective radiated power;

(3) antenna height;

(4) channels available for use.

(b) *Purpose of Prior Notification.* The prior coordination of cell sites is for informational purposes only: public safety/CII licensees are not afforded the right to accept or reject the activation of a proposed cell or to unilaterally require changes in its operating parameters. The principal purposes of notification are to: (a) allow a public safety licensee to advise the Part 90 ESMR or Cellular Radiotelephone licensee whether it believes a proposed cell will generate unacceptable interference; (b) permit Cellular Radiotelephone or Part 90 ESMR licensees to make voluntary changes in cell parameters when a public safety licensee alerts them to possible interference; and (c) rapidly identify the source if interference is encountered when the cell is activated.

Part 24 of title 47 of the Code of Federal Regulation, is amended to read as follows:

PART 24 – PERSONAL COMMUNICATIONS SERVICES

9. The authority citation for Part 24 continues to read as follows:

AUTHORITY: Sections 47 U.S.C. 154, 301, 302, 303, 309 and 332.

10. Paragraph (b) of Section 24.203 is amended as follows and an new paragraph (d) is added:

§ 24.203 Construction requirements.

* * * * *

(b) Licensees of 10 MHz blocks except for the 1910-1915 MHz and 1990-1995 MHz, including 10 MHz C block licenses reconfigured pursuant to Amendment of the Commission's Rules Regarding Installment Payment Financing for Personal Communications Services (PCS) Licensees, WT Docket No. 97–82, Sixth Report and Order, FCC 00–313, and 15 MHz blocks resulting from the disaggregation option as provided in the Commission's Rules Regarding Installment payment Financing for Personal Communications Services (PCS) Licensees, Second Report and Order and Further Notice of Proposed Rule Making, WT Docket 97–82, 12 FCC Rcd 16436 (1997), as modified by Order on Reconsideration of the Second Report and Order, WT Docket 97–82, 13 FCC Rcd 8345 (1998), must serve with a signal level sufficient to provide adequate service to at least one-quarter of the population in their licensed area within five years of being licensed, or make a showing of substantial service in their licensed area within five years of being licensed. Population is defined as the 1990 population census. Licensees may elect to use the 2000 population census to determine the five-year construction requirement. Failure by any licensee to meet these requirements will result in forfeiture of the license and the licensee will be ineligible to regain it.

* * * * *

(d) Licensees in the paired 1910-1915 MHz and 1990-1995 MHz bands must make a showing of "substantial service" in their license area within ten years of the date of initial issuance or renewal. "Substantial service" is defined as service which is sound, favorable, and substantially above a level of mediocre service which just might minimally warrant renewal. Failure by any licensee to meet this requirement will result in forfeiture of the license and the licensee will be ineligible to regain it.

* * * * *

11. A new paragraph (c) is added to Section 24.229 as follows:

§ 24.229 Frequencies.

* * * * *

(c) The paired frequency blocks 1910-1915 MHz and 1990-1995 MHz are available for assignment in the 175 Economic Areas defined in § 90.7 of this chapter. The 1910-1915 MHz block shall be used for mobile/portable station transmissions while the 1990-1995 MHz block shall be used for base station transmissions.

* * * * *

12. A new paragraph (c) is added to Section 24.247 as follows:

§ 24.247 Triggering a reimbursement obligation.

* * * * *

(c) Any new entrants granted licenses for the 1910-1915 MHz band must reimburse UTAM a pro rata share of its total expenses incurred by UTAM as of the date that the new entrants gain access to the band. The percent required by new entrants to pay shall be calculated based upon the amount of spectrum granted to the new entrant as compared to the total amount of spectrum UTAM is responsible for clearing of incumbents (20 megahertz), and must be paid before a new entrant begins operations in the band. For example, if a new entrant obtains a license for 5 megahertz of spectrum in this band, it is required to reimburse UTAM one-quarter of UTAM's total costs to date on a pro rata shared basis. New entrants will be responsible for the actual costs associated with future relocation activities in their licensed spectrum, but will be entitled to seek reimbursement from UTAM for the proportion of those band clearing costs that benefit users of the 1915-1930 MHz band.

13. For the reasons discussed above, the Federal Communications Commission amends 47 CFR parts 74 and 78 as follows:

PART 74 – EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCASTING AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

14. The authority citation for Part 74 continues to read as follows:

AUTHORITY: 47 U.S.C. 154, 303, 307, 336(f), 336(h) and 554.

15. Part 74.602(a)(3)(iii) is amended to read as follows:

§ 74.602 Frequency assignments.

(a) * * *

(3) * * *

(iii) Broadcast Auxiliary Service, Cable Television Remote Pickup Service, and Local Television Transmission Service licensees will be required to use the Band A channel plan in paragraph (a)(3)(i) of this section after completion of relocation by an Emerging Technologies licensee in accordance with § 74.690 or § 78.40 of this chapter. Licensees declining relocation may continue to use their existing channel plan but must discontinue use of the 1990-2025 MHz band when they indicate to an Emerging Technologies licensee, acting pursuant to § 74.690 or § 78.40 of this chapter, that they decline to be relocated.

16. Section 74.690 is amended to amend sections (a), (b), (c)(2), (c)(3), (d) and (e), and to remove and reserve section (e)(1)(ii) to read as follows:

§ 74.690 Transition of the 1990-2025 MHz band from the Broadcast Auxiliary Service to emerging technologies.

(a) New Entrants, collectively defined as those licensees proposing to use emerging technologies to implement Mobile Satellite Services in the 2000-2020 MHz band (MSS licensees),and those licensees authorized after July 1, 2004 to implement new fixed and mobile services in the 1990-1995 MHz band,

may negotiate with Broadcast Auxiliary Service licensees operating on a primary basis and fixed service licensees operating on a primary basis in the 1990-2025 MHz band (Existing Licensees) for the purpose of agreeing to terms under which the Existing Licensees would relocate their operations to the 2025-2110 MHz band, to other authorized bands, or to other media; or, alternatively, would discontinue use of the 1990-2025 MHz band.

(b) An Existing Licensee in the 1990-2025 MHz band allocated for licensed emerging technology services will maintain primary status in the band until the Existing Licensee's operations are relocated by a New Entrant, are discontinued under the terms of paragraph (a) of this section, or become secondary under the terms of paragraph (e)(6) of this section or the Existing Licensee indicates to a New Entrant that it declines to be relocated.

(c) * * *

(2) The New Entrant completes all activities necessary for implementing the replacement facilities, including engineering and cost analysis of the relocation procedure and, if radio facilities are used, identifying and obtaining, on the incumbents' behalf, new microwave or Local Television Transmission frequencies and frequency coordination.

(3) The New Entrant builds the replacement system and tests it for comparability with the existing system.

(d) The Existing Licensee is not required to relocate until the alternative facilities are available to it for a reasonable time to make adjustments, determine comparability, and ensure a seamless handoff. If, within one year after the relocation to new facilities the Existing Licensee demonstrates that the new facilities are not comparable to the former facilities, the New Entrant must remedy the defects.

(e) Subject to the terms of this paragraph (e), the relocation of Existing Licensees will be carried out by MSS licensees in the following manner:

(1) * * *

(ii) [removed and reserved]

* * * * *

17. PART 78 – CABLE TELEVISION RELAY SERVICE

1. The authority citation for Part 78 continues to read as follows:

AUTHORITY: Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

2. Section 78.40 is amended to amend sections (a), (b), (c)(2), (c)(3), (e) and (f), and to remove and reserve section (f)(1)(ii) to read as follows:

§ 78.40 Transition of the 1990-2025 MHz band from the Cable Television Relay Service to emerging technologies.

(a) New Entrants, collectively defined as those licensees proposing to use emerging technologies to implement Mobile Satellite Services in the 2000-2020 MHz band (MSS licensees) and those licensees

authorized after July 1, 2004 to implement new fixed and mobile services in the 1990-1995 MHz band, may negotiate with Cable Television Relay Service licensees operating on a primary basis and fixed service licensees operating on a primary basis in the 1990-2025 MHz band (Existing Licensees) for the purpose of agreeing to terms under which the Existing Licensees would relocate their operations to the 2025-2110 MHz band, to other authorized bands, or to other media; or, alternatively, would accept a sharing arrangement with the New Entrants that may result in an otherwise impermissible level of interference to the Existing Licensee's operations.

(b) Existing Licensees in the 1990-2025 MHz band allocated for licensed emerging technology services will maintain primary status in the band until a New Entrant completes relocation of the Existing Licensee's operations or the Existing Licensee indicates to a New Entrant that it declines to be relocated.

(c) * * *

(2) The New Entrant completes all activities necessary for implementing the replacement facilities, including engineering and cost analysis of the relocation procedure and, if radio facilities are used, identifying and obtaining, on the incumbents' behalf, new microwave or Cable Television Relay Service frequencies and frequency coordination.

(3) The New Entrant builds the replacement system and tests it for comparability with the existing system.

(d) * * *

(e) If, within one year after the relocation to new facilities the Existing Licensee demonstrates that the new facilities are not comparable to the former facilities, the New Entrant must remedy the defect.

(f) Subject to the terms of this paragraph (e), the relocation of Existing Licensees will be carried out by MSS licensees in the following manner:

(1) * * *

(ii) [removed and reserved]

* * * * *

Part 90 of title 47 of the Code of Federal Regulations, is amended to read as follows:

PART 90 – PRIVATE LAND MOBILE RADIO SERVICES

18. The authority citation for Part 90 continues to read as follows:

AUTHORITY: Sections 4(i), 11, 303(g), 303(r), and 302(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7).

19. The following definitions are added to the text of Section 90.7.

§ 90.7 Definitions.

800 MHz Cellular System. In the 806-817 MHz/ 851-862 MHz band, a cellular system is defined

as high-density system which:

(1) has more than five overlapping interactive sites featuring hand-off capability; and

(2) any one of such sites has an antenna height of less than 30.4 meters (100 feet) above ground level with an antenna height above average terrain (HAAT) of less than 152.4 meters (500 feet) and twenty or more paired frequencies.

* * * * *

Critical Infrastructure Industry (CII). Private internal radio services operated by State, local governments and non-government entities, including utilities, railroads, metropolitan transit systems, pipelines, private ambulances, volunteer fire departments, and not-for-profit organizations that offer emergency road services, provided these private internal radio services (i) are used to protect safety of life, health, or property; and (ii) are not made commercially available to the public.

* * * * *

Enhanced Specialized Mobile Radio System (ESMR). A specialized mobile radio (SMR) system operating in the 800 MHz band which employs an 800 MHz cellular system as defined in this section.

* * * * *

20. The text in Section 90.16 is revised to reflect the location of the NPSPAC spectrum after band reconfiguration.

§ 90.16. Public Safety National Plan.

The Commission has established a National Plan which specifies special policies and procedures governing the Public Safety Pool (formally Public Safety Radio Services and the Special Emergency Radio Service). The National Plan is contained in the Report and Order in General Docket No. 87–112. The principal spectrum resource for the National Plan is the 806–809 MHz and the 851–854 MHz bands at locations farther then 110 km (68.4 miles) from the U.S./Mexico border and 140 km (87 miles) from the U.S./Canadian border ("border regions"). In the border regions, the principal spectrum for the National Plan may be different. The National plan establishes planning regions covering all parts of the United States, Puerto Rico, and the U.S. Virgin Islands. No assignments will be made in the spectrum designated for the National Plan until a regional plan for the area has been accepted by the Commission.

21. Section 90.20 is amended by revising the table in paragraph (c)(3) and by revising the text in paragraph (d)(69).

§ 90.20 Public Safety Pool.

* * * * *

(c) * * *

(3) * * *

PUBLIC SAFETY POOL FREQUENCY TABLE

Frequency or band	Class of station(s)	Limitations	Coordinator
* * * * *	* * * * *	* * * * *	* * * * *
806 to 817	....do.....	69.	
851 to 862	Base or mobile	69.	
* * * * *	* * * * *	* * * * *	* * * * *

(d) * * * * *

(69) Subpart S of this part contains rules for assignment of frequencies in the 806–816 MHz and 851–861 MHz bands.

22. Section 90.35 is amended by revising the table in paragraph (b)(3) and by revising the text in paragraph (c)(71).

§ 90.35 Industrial/Business Pool.

* * * * *

(b) * * *

(3) * * *

INDUSTRIAL/BUSINESS POOL FREQUENCY TABLE

Frequency or band	Class of station(s)	Limitations	Coordinator
* * * * *	* * * * *	* * * * *	* * * * *
809 to 824	Mobile.....	71.	
854 to 869	Base or mobile	71.	
* * * * *	* * * * *	* * * * *	* * * * *

(c) * * *

(71) Subpart S of this part contains rules for assignment of frequencies in the 809–824/854–869 and 896–901/935–940 MHz bands.

§ 90.209 Bandwidth limitations.

* * * * *

(b) * * *

(5) * * *

STANDARD CHANNEL SPACING/BANDWIDTH

Frequency band (MHz)	Channel spacing (kHz)	Authorized bandwidth (kHz)
*****	*****	*****
806-809/851-854	12.5	20
809-824/854-869.....	25	20
*****	*****	*****

* * * * *

23. The table in Section 90.210 is amended to reflect the 800 MHz band after band reconfiguration.

§ 90.210 Emission masks.

* * * * *

APPLICABLE EMISSION MASKS

Frequency band (MHz)	Mask for equipment with Audio low pass filter	Mask for equipment without audio low pass filter
*****	*****	*****
806-809/851-854	B	H
809-824/854-869[3].....	B	G
*****	*****	*****

[1] Equipment using single sideband J3E emission must the requirements of Emission Mask A. Equipment using other emissions must meet the requirements of Emission Mask B or C, as applicable.

[2] Equipment designed to operate with a 25 kHz channel bandwidth must meet the requirements of Emission Mask B or C, as applicable. Equipment designed to operate with a 12.5 kHz channel bandwidth must meet the requirements of Emission Mask D, and equipment designed to operate with a 6.25 kHz channel bandwidth Must meet the requirements of Emission Mask E.

[3] ESMR systems shall comply with the emission mask provisions of §90.691.

* * * * *

24. The table in Section 90.213 is updated to reflect the 800 MHz band after band reconfiguration.

§ 90.213 Frequency stability.

(a) * * *

MINIMUM FREQUENCY STABILITY
[Parts per million (ppm)]

Frequency range (MHz)	Fixed and base stations	Mobile stations	
		Over 2 watts output power	2 watts or less output power

*****	*****	*****	*****
806-809	[14] 1.0	1.5	1.5
809-824.....	[14] 1.5	2.5	2.5
851-854.....	1.0	1.5	1.5
854-869.....	1.5	2.5	2.5
*****	*****	*****	*****

* * * * *

25. Paragraph (e) of Section 90.607 is amended to exempt applicants for ESMR frequencies from frequency coordination requirements:

§ 90.607 Supplemental information to be furnished by applicants for facilities under this subpart.

* * * * *

(e) All applicants for frequencies governed by this subpart are subject to the frequency coordination requirements of § 90.175(b) except applicants requesting frequencies for EA-based SMR operations in the 806-824 MHz /851-869 MHz band or 896-901 MHz /935-940 MHz band.

26. Paragraph (c) of Section 90.609 is amended to eliminate references to Spectrum Block D which will no longer exist after band reconfiguration:

§ 90.609 Special limitations on amendment of applications for assignment or transfer of authorizations for radio systems above 800 MHz.

* * * * *

(c) Licensees of constructed systems in any category are permitted to make partial assignments of an authorized grant to an applicant proposing to create a new system or to an existing licensee that has loaded its system to 70 mobiles per channel and is expanding that system. An applicant authorized to expand an existing system or to create a new system with frequencies from any category obtained through partial assignment will receive the assignor's existing license expiration date and loading deadline for the frequencies that are assigned. A licensee that makes a partial assignment of a station's frequencies will not be authorized to obtain additional frequencies for that station for a period of one year from the date of the partial assignment.

* * * * *

27. Section 90.613 is amended to indicate the channel designations after band reconfiguration:

§ 90.613 Frequencies available.

The following tables indicate the channel designations of frequencies available for assignment to eligible applicants under this subpart. Frequencies shall be assigned in pairs, with mobile and control station transmitting frequencies taken from the 806–824 MHz band with corresponding base station frequencies being 45 MHz higher and taken from the 851–869 MHz band, or with mobile and control station frequencies taken from the 896–901 MHz band with corresponding base station frequencies being 39 MHz higher and taken from the 935–940 MHz band. Only the base station transmitting frequency of each pair is listed in the following tables.

TABLE OF 806-824/851-869 MHZ CHANNEL DESIGNATIONS

Channel No.	Base Frequency (MHz)
1	851.0125
2	.0375
3	.0500
4	.0625
5	.0750
6	.0875
7	.1000
8	.1125
9	.1250
10	.1375
11	.1500
12	.1625
13	.1750
14	.1875
15	.2000
16	.2125
17	[illegible]50
18	[illegible]75
19	.2500
20	.2625
21	.2750
22	.2875
23	.3000
24	.3125
25	.3250
26	.3375
27	.3500
28	.3625
29	.3750
30	.3875
31	.4000
32	.4125
33	.4250
34	.4375
35	.4500
36	.4625
37	.4750
38	.4875
39	.5125
40	.5375
41	.5500
42	.5625
43	.5750
44	.5875
45	.6000
46	.6125
47	.6250
48	.6375

49	.6500
50	.6625
51	.6750
52	.6875
53	.7000
54	.7125
55	.7250
56	.7375
57	.7500
58	.7625
59	.7750
60	.7875
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