

## § 95.831

(4) Responsible parties must submit supporting documents showing compliance with the respective construction requirements within the appropriate construction benchmarks set forth in § 95.833 of this part.

[64 FR 59662, Nov. 3, 1999, as amended at 67 FR 46378, July 9, 2002]

### SYSTEM REQUIREMENTS

#### § 95.831 Service requirements.

Subject to the initial construction requirements of § 95.833 of this subpart, each 218-219 MHz Service system license must demonstrate that it provides substantial service within the service area. Substantial service is defined as a service that is sound, favorable, and substantially above a level of service which might minimally warrant renewal.

[64 FR 59662, Nov. 3, 1999]

#### § 95.833 Construction requirements.

(a) Each 218-219 MHz Service licensee must make a showing of "substantial service" within ten years of the license grant. A "substantial service" assessment will be made at renewal pursuant to the provisions and procedures contained in § 1.949 of this chapter.

(b) Each 218-219 MHz Service licensee must file a report to be submitted to inform the Commission of the service status of its system. The report must be labeled as an exhibit to the renewal application. At minimum, the report must include:

(1) A description of its current service in terms of geographic coverage and population served;

(2) An explanation of its record of expansion, including a timetable of new construction to meet changes in demand for service;

(3) A description of its investments in its 218-219 MHz Service systems;

(4) A list, including addresses, of all component CTSs constructed; and

(5) Copies of all FCC orders finding the licensee to have violated the Communications Act or any FCC rule or policy; and a list of any pending proceedings that relate to any matter described in this paragraph.

(c) Failure to demonstrate that substantial service is being provided in the

## 47 CFR Ch. I (10-1-07 Edition)

service area will result in forfeiture of the license, and will result in the licensee's ineligibility to apply for 218-219 MHz Service licenses for three years from the date the Commission takes final action affirming that the 218-219 MHz Service license has been canceled pursuant to § 95.813 of this part.

[64 FR 59662, Nov. 3, 1999]

#### § 95.835 Station identification.

No RTU or CTS is required to transmit a station identification announcement.

#### § 95.837 Station inspection.

Upon request by an authorized Commission representative, the 218-219 MHz Service system licensee must make any component CTS available for inspection.

### TECHNICAL STANDARDS

#### § 95.851 Certification.

Each CTS and RTU transmitter must be certificated for use in the 218-219 MHz Service in accordance with subpart J of part 2 of this chapter.

[63 FR 36611, July 7, 1998]

#### § 95.853 Frequency segments.

There are two frequency segments available for assignment to the 218-219 MHz Service in each service area. Frequency segment A is 218.000-218.500 MHz. Frequency segment B is 218.501-219.000 MHz.

[64 FR 59663, Nov. 3, 1999]

#### § 95.855 Transmitter effective radiated power limitation.

The effective radiated power (ERP) of each CTS and RTU shall be limited to the minimum necessary for successful communications. No CTS or fixed RTU may transmit with an ERP exceeding 20 watts. No mobile RTU may transmit with an ERP exceeding 4 watts.

[64 FR 59663, Nov. 3, 1999]

#### § 95.857 Emission standards.

(a) All transmissions by each CTS and by each RTU shall use an emission type that complies with the following standard for unnecessary radiation.