

## § 80.25

in the band 156–162 MHz to be located within the coordination boundaries of “Arrangement ‘A’ of the Canada/U.S.A. Frequency Coordination Agreement above 30 MHz”, must comply with the provisions of the “Canada/U.S.A. Channeling Agreement for VHF Maritime, Public Correspondence” as contained in § 80.57.

(c) A new station on a vessel not located in the United States must not be documented or otherwise registered by any foreign authority. The foreign authorities where the vessel is located will not or cannot license the vessel radio equipment and can not object to the licensing of the equipment by the United States. An applicant must provide verification of these facts upon request by the Commission.

[51 FR 31213, Sept. 2, 1986, as amended at 60 FR 50122, Sept. 28, 1995; 62 FR 55533, Oct. 27, 1997; 63 FR 68955, Dec. 14, 1998]

### § 80.25 License term.

(a) Licenses for ship stations in the maritime services will normally be issued for a term of ten years from the date of original issuance, or renewal.

(b) Licenses other than ship stations in the maritime services will normally be issued for a term of ten years from the date of original issuance, major modification, or renewal.

(c) Licenses for stations engaged in developmental operation will be issued for a period not to exceed one year from date of grant.

[51 FR 31213, Sept. 2, 1986, as amended at 58 FR 68062, Dec. 23, 1993; 62 FR 40304, July 28, 1997; 63 FR 40062, July 27, 1998; 63 FR 68955, Dec. 14, 1998; 65 FR 77823, Dec. 13, 2000]

### § 80.31 Cancellation of license.

Wireless telecommunications carriers subject to this part must comply with the discontinuance of service provisions of part 63 of this chapter.

[63 FR 68955, Dec. 14, 1998]

### § 80.33 Developmental license.

This section contains rules about the licensing of developmental operations at stations subject to this part.

(a) *Supplemental eligibility.* An authorization for developmental operation will be issued only to persons eligible

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to operate such stations on a regular basis.

(b) *Showing required.* Each application for a developmental license must be accompanied by the following showing:

(1) The applicant has an organized plan of development leading to an objective;

(2) A point has been reached in the program where actual transmission by radio is essential to progress;

(3) The program will contribute to the use of the radio services subject to this part;

(4) The program will be conducted by qualified personnel;

(5) The applicant is legally qualified and possesses technical facilities for conduct of the program as proposed; and

(6) The public interest, convenience and necessity will be served by the proposed operation.

(c) *Statement of understanding.* The showing must state that the applicant agrees that any developmental license issued will be accepted with the express understanding that it is subject to change in any of its terms or to cancellation in its entirety at any time, upon reasonable notice but without a hearing, if, in the opinion of the Commission, circumstances should so require.

(d) *Assignable frequencies.* Applicants for a developmental license may be authorized to use a frequency or frequencies available for the service and class of station proposed. The number of frequencies assignable to a particular station will depend upon the specific requirements of the developmental program and the number of frequencies available for use in the area where the station is to be operated.

(e) *Developmental program.* (1) The developmental program as described by the applicant in the application for authorization must be substantially followed unless the Commission otherwise directs.

(2) Where some phases of the developmental program are not covered by the general rules of the Commission and the rules in this part, the Commission may specify supplemental or additional requirements or conditions.

(3) The Commission may, from time to time, require a station engaged in

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developmental work to conduct special tests which are reasonable to the authorized developmental program.

(f) *Use of developmental stations.* (1) Stations authorized to conduct developmental operations must conform to all applicable technical and operating requirements contained in this part, unless a waiver is specifically provided in the station authorization.

(2) Communication with any station of a country other than the United States is prohibited unless specifically provided in the station authorization.

(3) Developmental operations must not cause harmful interference to the operation of stations regularly authorized to use the frequency or frequencies.

(g) *Report of operation required.* A report on the results of the developmental program must be filed within 60 days of the expiration of the license. A report must accompany a request for renewal of the license. Matters which the applicant does not wish to disclose publicly may be so labeled; they will be used solely for the Commission's information. However, public disclosure is governed by §0.467 of this chapter. The report must include the following:

- (1) Results of operation to date.
- (2) Analysis of the results obtained.
- (3) Copies of any published reports.
- (4) Need for continuation of the program.

(5) Number of hours of operation on each authorized frequency during the term of the license to the date of the report.

[51 FR 31213, Sept. 2, 1986, as amended at 63 FR 68955, Dec. 14, 1998]

### § 80.37 One authorization for a plurality of stations.

*Marine utility stations.* One station license may be issued to authorize a designated maximum number of marine utility stations operating at temporary unspecified locations, normally in multiples of ten stations when:

- (a) The licensee of each station is the same; and
- (b) The authorized area of operation of each station is the same.

### § 80.39 Authorized station location.

This section describes the circumstances under which a coast sta-

tion location is classified as permanent or temporary unspecified.

(a) *Permanent.* Whenever a station is to transmit from a single location, the station location is *permanent* and the location must be shown on the application.

(b) *Temporary unspecified.* Whenever a station is to transmit from unspecified locations within a prescribed geographical area, the station location is *temporary unspecified* and the proposed geographical operating area must be shown on the application.

### § 80.41 Control points and dispatch points.

This section applies to coast or fixed stations at permanent locations.

(a) Applicants must provide the address or location of the control point where station records will be kept.

(b) When the address or location of a control point where station records are kept is to be changed, the licensee must request a modification of the station license.

(c) Control points not collocated with station records and dispatch points may be installed and used without obtaining any authorization from the Commission.

### § 80.43 Equipment acceptable for licensing.

Transmitters listed in §80.203 must be authorized for a particular use by the Commission based upon technical requirements contained in subparts E and F of this part, except for transmitters that are used on vessels in the Maritime Security Fleet and are deemed to satisfy all Commission equipment certification requirements pursuant to section 53108(c) of Title 46 of the United States Code.

[73 FR 4480, Jan. 25, 2008]

### § 80.45 Frequencies.

For applications other than ship stations, the applicant must propose frequencies and ensure that those requested frequencies are consistent with the applicant's eligibility, the proposed class of station operation, and the frequencies available for assignment as contained in subpart H of this part.

[63 FR 68955, Dec. 14, 1998]