

Regional Broadcasting Agreement (NARBA), but that are in conformity with the remaining treaties and other international agreements listed in § 73.1650(b) and with the other requirements of this part 73, will be granted subject to such modifications as the FCC may subsequently find appropriate, taking international considerations into account.

(c) In the case of any application designated for hearing on issues other than those related to consistency with international relationships and as to which no final decision has been rendered, whenever action under this section becomes appropriate because of inconsistency with international relationships, the applicant involved shall, notwithstanding the provisions §§ 73.3522 and 73.3571, be permitted to amend its application to achieve consistency with such relationships. In such cases the provisions of § 73.3605(c) will apply.

(d) In some circumstances, special international considerations may require that the FCC, in acting on applications, follow procedures different from those established for general use. In such cases, affected applicants will be informed of the procedures to be followed.

[56 FR 64856, Dec. 12, 1991]

**§ 73.24 Broadcast facilities; showing required.**

An authorization for a new AM broadcast station or increase in facilities of an existing station will be issued only after a satisfactory showing has been made in regard to the following, among others:

(a) That the proposed assignment will tend to effect a fair, efficient, and equitable distribution of radio service among the several states and communities.

(b) That a proposed new station (or a proposed change in the facilities of an authorized station) complies with the pertinent requirements of § 73.37 of this chapter.

(c) That the applicant is financially qualified to construct and operate the proposed station.

(d) That the applicant is legally qualified. That the applicant (or the

person or persons in control of an applicant corporation or other organization) is of good character and possesses other qualifications sufficient to provide a satisfactory public service.

(e) That the technical equipment proposed, the location of the transmitter, and other technical phases of operation comply with the regulations governing the same, and the requirements of good engineering practice.

(f) That the facilities sought are subject to assignment as requested under existing international agreements and the rules and regulations of the Commission.

(g) That the population within the 1 V/m contour does not exceed 1.0 percent of the population within the 25 mV/m contour: *Provided, however*, That where the number of persons within the 1 V/m contour is 300 or less the provisions of this paragraph are not applicable.

(h) That, in the case of an application for a Class B or Class D station on a clear channel, the proposed station would radiate, during two hours following local sunrise and two hours preceding local sunset, in any direction toward the 0.1 mV/m groundwave contour of a co-channel United States Class A station, no more than the maximum value permitted under the provisions of § 73.187.

(i) That, for all stations, the daytime 5 mV/m contour encompasses the entire principal community to be served. That, for stations in the 535–1605 kHz band, 80% of the principal community is encompassed by the nighttime 5 mV/m contour or the nighttime interference-free contour, whichever value is higher. That, for stations in the 1605–1705 kHz band, 50% of the principal community is encompassed by the 5 mV/m contour or the nighttime interference-free contour, whichever value is higher. That, Class D stations with nighttime authorizations need not demonstrate such coverage during nighttime operation.

(j) That the public interest, convenience, and necessity will be served

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through the operation under the proposed assignment.

[28 FR 13574, Dec. 14, 1963, as amended at 38 FR 5874, Mar. 5, 1973; 49 FR 43960, Nov. 1, 1984; 50 FR 40014, Oct. 1, 1985; 52 FR 11654, Apr. 10, 1987; 53 FR 1031, Jan. 15, 1988; 56 FR 64857, Dec. 12, 1991]

### § 73.25 Clear channels; Class A, Class B and Class D stations.

The frequencies in the following tabulations are designated as clear channels and assigned for use by the Classes of stations given:

(a) On each of the following channels, one Class A station may be assigned, operating with power of 50 kW: 640, 650, 660, 670, 700, 720, 750, 760, 770, 780, 820, 830, 840, 870, 880, 890, 1020, 1030, 1040, 1100, 1120, 1160, 1180, 1200, and 1210 kHz. In Alaska, these frequencies can be used by Class A stations subject to the conditions set forth in § 73.182(a)(1)(ii). On the channels listed in this paragraph, Class B and Class D stations may be assigned.

(b) To each of the following channels there may be assigned Class A, Class B and Class D stations: 680, 710, 810, 850, 940, 1000, 1060, 1070, 1080, 1090, 1110, 1130, 1140, 1170, 1190, 1500, 1510, 1520, 1530, 1540, 1550, and 1560 kHz.

NOTE: Until superseded by a new agreement, protection of the Bahama Islands shall be in accordance with NARBA. Accordingly, a Class A, Class B or Class D station on 1540 kHz shall restrict its signal to a value no greater than 5  $\mu$ V/m groundwave or 25  $\mu$ V/m-10% skywave at any point of land in the Bahama Islands, and such stations operating nighttime (*i.e.*, sunset to sunrise at the location of the U.S. station) shall be located not less than 650 miles from the nearest point of land in the Bahama Islands.

(c) Class A, Class B and Class D stations may be assigned on 540, 690, 730, 740, 800, 860, 900, 990, 1010, 1050, 1220, 1540, 1570, and 1580 kHz.

[28 FR 13574, Dec. 14, 1963, as amended at 33 FR 4410, Mar. 12, 1968; 35 FR 18052, Nov. 25, 1970; 47 FR 27862, June 28, 1982; 49 FR 43960, Nov. 1, 1984; 50 FR 24520, June 11, 1985; 52 FR 47568, Dec. 15, 1987; 53 FR 1031, Jan. 15, 1988; 54 FR 39736, Sept. 28, 1989; 56 FR 64857, Dec. 12, 1991]

### § 73.26 Regional channels; Class B and Class D stations.

(a) The following frequencies are designated as regional channels and are

assigned for use by Class B and Class D stations: 550, 560, 570, 580, 590, 600, 610, 620, 630, 790, 910, 920, 930, 950, 960, 970, 980, 1150, 1250, 1260, 1270, 1280, 1290, 1300, 1310, 1320, 1330, 1350, 1360, 1370, 1380, 1390, 1410, 1420, 1430, 1440, 1460, 1470, 1480, 1590, 1600, 1610, 1620, 1630, 1640, 1650, 1660, 1670, 1680, 1690, and 1700 kHz.

(b) Additionally, in Alaska, Hawaii, Puerto Rico, and the U.S. Virgin Islands the frequencies 1230, 1240, 1340, 1400, 1450, and 1490 kHz are designated as Regional channels, and are assigned for use by Class B stations. Stations formerly licensed to these channels in those locations as Class C stations are redesignated as Class B stations.

[56 FR 64857, Dec. 12, 1991]

### § 73.27 Local channels; Class C stations.

Within the conterminous 48 states, the following frequencies are designated as local channels, and are assigned for use by Class C stations: 1230, 1240, 1340, 1400, 1450, and 1490 kHz.

[56 FR 64857, Dec. 12, 1991]

### § 73.28 Assignment of stations to channels.

(a) The Commission will not make an AM station assignment that does not conform with international requirements and restrictions on spectrum use that the United States has accepted as a signatory to treaties, conventions, and other international agreements. See § 73.1650 for a list of pertinent treaties, conventions and agreements, and § 73.23 for procedural provisions relating to compliance with them.

(b) Engineering standards now in force domestically differ in some respects from those specified for international purposes. The engineering standards specified for international purposes (see § 73.1650, International Agreements) will be used to determine:

(1) The extent to which interference might be caused by a proposed station in the United States to a station in another country; and

(2) whether the United States should register an objection to any new or changed assignment notified by another country. The domestic standards in effect in the United States will be used to determine the extent to which