

## § 73.6026

(d) Class A TV stations are subject to the provisions in § 73.685(d) regarding blanketing interference.

### § 73.6026 Broadcast regulations applicable to Class A television stations.

The following rules are applicable to Class A television stations:

- § 73.603 Numerical designation of television channels.
- § 73.624(b), (c) and (g) Digital television broadcast stations. Section 73.624(b) will apply only to the extent that such stations must also transmit at least one over-the-air video program signal at no direct charge to viewers of the digital Class A station
- § 73.635 Use of common antenna site.
- § 73.642 Subscription TV service.
- § 73.643 Subscription TV operating requirements.
- § 73.644 Subscription TV transmission systems.
- § 73.646 Telecommunications Service on the Vertical Blanking Interval and in the Visual Signal.
- § 73.653 Operation of TV aural and visual transmitters.
- § 73.658 Affiliation agreements and network program practice; territorial exclusivity in non-network program arrangements.
- § 73.664 Determining operating power.
- § 73.665 Use of TV aural baseband subcarriers.
- § 73.667 TV subsidiary communications services.
- § 73.669 TV stereophonic aural and multiplex subcarrier operation.
- § 73.670 Commercial limits in children's programs.
- § 73.671 Educational and informational programming for children.
- § 73.673 Public information initiatives regarding educational and informational programming for children.
- § 73.688 Indicating instruments.
- § 73.691 Visual modulation monitoring.
- § 73.3615(a) and (g) Ownership reports.

[66 FR 21690, May 1, 2001, as amended at 74 FR 25168, May 27, 2009]

### § 73.6027 Class A TV notifications concerning interference to radio astronomy, research and receiving installations.

An applicant for digital operation of an existing Class A TV station or to change the facilities of an existing Class A TV or digital Class A TV station shall be subject to the requirements of § 73.1030—Notifications concerning interference to radio astron-

## 47 CFR Ch. I (10–1–10 Edition)

omy, research and receiving installations.

[69 FR 69331, Nov. 29, 2004]

### Subpart K—Application and Selection Procedures for Reserved Noncommercial Educational Channels, and for Certain Applications for Noncommercial Educational Stations on Non-Reserved Channels

SOURCE: 65 FR 36380, June 8, 2000, unless otherwise noted.

#### § 73.7000 Definition of terms (as used in subpart K only).

*Attributable interest.* An interest of an applicant, its parent, subsidiaries, their officers, and members of their governing boards that would be cognizable under the standards in the notes to § 73.3555. Also an interest of an entity providing more than 33 percent of an applicant's equity and/or debt that also either (1) supplies more than 15% of the station's weekly programming, or (2) has an attributable interest pursuant to § 73.3555 in media in the same market.

*Established local applicant.* An applicant that has, for at least the two years (24 months) immediately preceding application, met the definition of local applicant.

*Local applicant.* An applicant physically headquartered, having a campus, or having 75% of board members residing within 25 miles of the reference coordinates for the community to be served, or a governmental entity within its area of jurisdiction.

*Near reservation lands.* Those areas or communities adjacent or contiguous to reservation or other Trust lands which are designated by the Department of Interior's Commission of Indian Affairs upon recommendation of the Local Bureau of Indian Affairs Superintendent, which recommendation shall be based upon consultation with the tribal governing body of those reservations, as locales appropriate for the extension of financial assistance and/or social services on the basis of such general criteria as: Number of Indian people native to the reservation residing in the

area; a written designation by the tribal governing body that members of their tribe and family members who are Indian residing in the area, are socially, culturally and economically affiliated with their tribe and reservation; geographical proximity of the area to the reservation and administrative feasibility of providing an adequate level of services to the area.

*Nonreserved (Unreserved) channels.* Channels which are not reserved exclusively for noncommercial educational use, and for which commercial entities could thus be eligible to operate full power stations. Such channels appear without an asterisk designation in the FM Table of Allotments (§73.202) and TV Table of Allotments (§73.606). In the event of a request to allocate a non-reserved channel as reserved pursuant to §§73.202(a) or 73.606(a), the channel remains classified as nonreserved until release of a Commission decision granting such request.

*On-air operations.* Broadcast of program material to the public pursuant to Commission authority, generally beginning with program test authority, for periods of time that meet any required minimum operating schedule, e.g. §73.561(a).

*Population.* The number of people calculated using the most recent census block data provided by the United States Census Bureau.

*Reservations.* Any federally recognized Indian tribe's reservation, pueblo or colony, including former reservations in Oklahoma, Alaska Native regions established pursuant to the Alaska Native Claims Settlements Act (85 Stat. 688) and Indian allotments, for which a Tribe exercises regulatory jurisdiction.

*Reserved channels.* Channels reserved exclusively for noncommercial educational use, whether by the portion of the spectrum in which they are located (i.e. FM channels 200 to 220) or by a case-by-case Commission allotment decision (channels that appear with an asterisk designation in the FM Table of Allotments (§73.202) or TV Table of Allotments (§73.606)).

*Tribe.* Any Indian or Alaska Native tribe, band, nation, pueblo, village or community which is acknowledged by the federal government to constitute a

government-to-government relationship with the United States and eligible for the programs and services established by the United States for Indians. See *The Federally Recognized Indian Tribe List Act of 1994* (Indian Tribe Act), Public Law 103-454, 108 Stat. 4791 (1994) (the Secretary of the Interior is required to publish in the FEDERAL REGISTER an annual list of all Indian Tribes which the Secretary recognizes to be eligible for the special programs and services provided by the United States to Indians because of their status as Indians).

*Tribal applicant.* (1) A Tribe or consortium of Tribes, or

(2) An entity that is 51 percent or more owned or controlled by a Tribe or Tribes that occupy Tribal Lands that receive Tribal Coverage.

*Tribal coverage.* Coverage of Tribal Lands by at least 50 percent of a facility's 60 dBu (1 mV/m) contour. To the extent that Tribal Lands include fee lands not owned by Tribes or members of Tribes, the outer boundaries of such lands shall delineate the coverage area, with no deduction of area for fee lands not owned by Tribes or members of Tribes.

*Tribal lands.* Both Reservations and Near reservation lands. This definition includes American Indian Reservations and Trust Lands, Tribal Jurisdiction Statistical Areas, Tribal Designated Statistical Areas, Hawaiian Homelands, and Alaska Native Village Statistical Areas, as well as the communities situated on such lands.

[65 FR 36380, June 8, 2000, as amended at 66 FR 15356, Mar. 19, 2001; 75 FR 9807, Mar. 4, 2010]

**§ 73.7001 Services subject to evaluation by point system.**

(a) A point system will be used to evaluate mutually exclusive applications for new radio, television, and FM translator facilities, and for major changes to existing facilities, on reserved channels.

(b) A point system will be used to evaluate mutually exclusive applications for new radio, television, and FM translator facilities, and for major changes to existing facilities, on non-reserved channels, only when all of the mutually exclusive applications are for