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ALPHABETICAL INDEX—PART 74

AUTHORITY: 47 U.S.C. 154, 302a, 303, 307, 336(f), 336(h) and 554.

EDITORIAL NOTE: Nomenclature changes to part 74 appear at 64 FR 4055, Jan. 27, 1999.

Subpart—General; Rules Applicable to All Services in Part 74

§ 74.1 Scope.

(a) The rules in this subpart are applicable to the Experimental, Auxiliary and Special Broadcast, and Other Program Distributional Services.

(b) Rules in part 74 which apply exclusively to a particular service are contained in that service subpart, as follows: Experimental Broadcast Stations, Subpart A; Remote Pickup Broadcast Stations, Subpart D; Aural Broadcast STL and Intercity Relay Stations, Subpart E; TV Auxiliary Broadcast Stations, Subpart F; Low-power TV, TV Translator and TV Booster Stations, Subpart G; Low-power Auxiliary Stations, Subpart H; FM Broadcast Translator Stations and FM Broadcast Booster Stations, subpart L.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[47 FR 53022, Nov. 24, 1982, and 49 FR 32583, Aug. 15, 1984, as amended at 52 FR 31402, Aug. 20, 1987; 69 FR 72045, Dec. 10, 2004]

§ 74.2 General definitions.

Broadcast network-entity. A broadcast network-entity is an organization which produces programs available for simultaneous transmission by 10 or more affiliated broadcast stations and having distribution facilities or circuits available to such affiliated stations at least 12 hours each day.

Cable network-entity. A cable network-entity is an organization which

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produces programs available for simultaneous transmission by cable systems serving a combined total of at least 5,000,000 subscribers and having distribution facilities or circuits available to such affiliated stations or cable systems.

[51 FR 4601, Feb. 6, 1986]

§ 74.3 FCC inspections of stations.

(a) The licensee of a station authorized under this part must make the station available for inspection by representatives of the FCC during the station's business hours, or at any time it is in operation.

(b) In the course of an inspection or investigation, an FCC representative may require special equipment tests or program tests.

(c) The logs and records required by this part for the particular class or type of station must be made available upon request to representatives of the FCC.

[47 FR 53022, Nov. 24, 1982]

§ 74.5 Cross reference to rules in other parts.

Certain rules applicable to Experimental, Auxiliary, Special Broadcast and other Program Distribution services, some of which are also applicable to other services, are set forth in the following Parts of the FCC Rules and Regulations:

(a) Part 1, "Practice and procedure".

(1) Subpart A, "General Rules of Practice and Procedure". (§§ 1.1 to 1.120).

(2) Subpart B, "Hearing Proceedings". (§§ 1.120 to 1.364).

(3) Subpart C, "Rulemaking Proceedings". (§§ 1.399 to 1.430).

(4) Subpart F, "Wireless Telecommunications Services Applications and Proceedings". (§§ 1.901 to 1.981).

(5) Subpart G, "Schedule of Statutory Charges and Procedures for Payment". (§§ 1.1101 to 1.1120).

(6) Subpart H, "Ex Parte Presentations". (§§ 1.1200 to 1.1216).

(7) Subpart I, "Procedures Implementing the National Environmental Policy Act of 1969". (§§ 1.1301 to 1.1319).

(8) Part 1, Subpart W of this chapter, "FCC Registration Number". (§§ 1.8001–1.8005.)

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(b) Part 2, “Frequency Allocations and Radio Treaty Matters, General Rules and Regulations”, including subparts A, “Terminology”; B, “Allocation, Assignments and Use of Radio Frequencies”; C, “Emissions”; D, “Call Signs and Other Forms of Identifying Radio Transmissions”; and J, “Equipment Authorization Proceedings”.

(c) [Reserved]

(d) Part 17, “Construction, Marking and Lighting of Antenna Structures”.

(e) Part 73, “Radio Broadcast Services”.

(f) Part 101, “Fixed Microwave Services”.

[53 FR 2499, Jan. 28, 1988, as amended at 60 FR 55482, Nov. 1, 1995; 66 FR 47896, Sept. 14, 2001; 68 FR 12761, Mar. 17, 2003]

§ 74.6 Licensing of broadcast auxiliary and low power auxiliary stations.

Applicants for and licensees of remote pickup broadcast stations, aural broadcast auxiliary stations, television broadcast auxiliary stations, and low power auxiliary stations authorized under subparts D, E, F, and H of this part are subject to the application and procedural rules for wireless telecommunications services contained in part 1, subpart F of this chapter. Applicants for these stations may file either manually or electronically as specified in §§ 1.913(b) and (d) of this chapter.

[68 FR 12761, Mar. 17, 2003]

§ 74.12 Notification of filing of applications.

The provisions of § 73.1030 “Notification concerning interference to Radio Astronomy, Research, and Receiving Installations” apply to all stations authorized under this part of the FCC Rules except the following:

(a) Mobile remote pickup stations (subpart D).

(b) TV pickup stations (subpart F).

(c) Low power auxiliary stations (subpart H).

[44 FR 58735, Oct. 11, 1979, as amended at 44 FR 77167, Dec. 31, 1979; 47 FR 28388, June 30, 1982]

§ 74.13 Equipment tests.

(a) During the process of construction of any class of radio station listed in this part, the permittee, without

further authority of the Commission, may conduct equipment tests for the purpose of such adjustments and measurements as may be necessary to assure compliance with the terms of the construction permit, the technical provisions of the application therefor, the technical requirements of this chapter, and the applicable engineering standards.

(b) Equipment tests may be continued so long as the construction permit shall remain valid.

(c) The authorization for tests embodied in this section shall not be construed as constituting a license to operate.

[38 FR 18378, July 10, 1973]

§ 74.14 Service or program tests.

(a) Upon completion of construction of a radio station in accordance with the terms of the construction permit, the technical provisions of the application therefor, technical requirements of this chapter, and applicable engineering standards, and when an application for station license has been filed showing the station to be in satisfactory operating condition, the permittee or any class of station listed in this part may, without further authority of the Commission, conduct service or program tests.

(b) Program test authority for stations authorized under this part will continue valid during Commission consideration of the application for license and during this period further extension of the construction permit is not required. Program test authority shall be automatically terminated with final action on the application for station license.

(c) The authorization for tests embodied in this section shall not be construed as approval by the Commission of the application for station license.

[38 FR 18378, July 10, 1973]

§ 74.15 Station license period.

(a) Licenses for experimental broadcast stations will be issued for a one year period.

(b) Licenses for stations or systems in the Auxiliary Broadcast Service held by a licensee of a broadcast station will