

§ 78.15

(a) To the owner or one who is responsible for the management and operation of a cable television system,

(b) To a cooperative enterprise wholly owned by cable television owners or operators, or

(c) A cable network-entity upon showing that the applicant is qualified under the Communications Act of 1934, that frequencies are available for the proposed operation, and that the public interest, convenience, and necessity will be served by a grant thereof.

(d) Licensees and conditional licensees of channels in the BRS/EBS band as defined in § 27.5(i) of this chapter, or entities that hold an executed lease agreement with a BRS/EBS licensee or conditional licensee.

(e) To private cable operators and other multichannel video programming distributors not specifically identified in this section.

[52 FR 7144, Mar. 9, 1987, as amended at 55 FR 46015, Oct. 31, 1990; 56 FR 57601, Nov. 13, 1991; 67 FR 43259, June 27, 2002; 69 FR 72047, Dec. 10, 2004]

§ 78.15 Contents of applications.

(a) Applications for authorization in the Cable Television Relay Service shall be submitted on FCC Form 327, and shall contain the information requested therein. Applications requiring fees as set forth at part 1, subpart G of this chapter must be filed in accordance with § 0.401(b) of the rules.

(b) An application for a CARS studio to headend link or LDS station license shall contain a statement that the applicant has investigated the possibility of using cable rather than microwave and the reasons why it was decided to use microwave rather than cable.

NOTE: Each applicant filing pursuant to § 78.15 is responsible for the continuing accuracy and completeness of all information in such applications. The provisions of § 1.65 are wholly applicable to applications pursuant to § 78.15, as well as to amendments filed pursuant to § 78.17, and objections filed pursuant to § 78.22, except that where the specific provisions of §§ 78.15, 78.17, 78.22 conflict with the provisions of § 1.65, the specific provisions are controlling, e.g., where requirements for service on specified parties of certain information may vary.

(c) CARS applicants must follow the procedures prescribed in subpart 1 of

47 CFR Ch. I (10–1–10 Edition)

part 1 of this chapter (§§ 1.1301 through 1.1319) regarding the filing of environmental assessments unless Commission action authorizing construction of a CARS station would be categorically excluded from the environmental processing requirements under § 1.1306 of this chapter.

[41 FR 3719, Jan. 23, 1976, as amended at 41 FR 32429, Aug. 3, 1976; 42 FR 61864, Dec. 7, 1977; 50 FR 23421, June 4, 1985; 52 FR 10231, Mar. 31, 1987; 55 FR 20398, May 16, 1990]

§ 78.16 Who may sign applications.

(a) Applications, amendments thereto, and related statements of fact required by the Commission shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association. Applications, amendments, and related statements of fact filed on behalf of government entities shall be signed by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction.

(b) Applications, amendments thereto, and related statements of fact required by the Commission may be signed by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reasons why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

(c) Only the original of applications, amendments, or related statements of fact need be signed; copies may be conformed.

(d) Applications, amendments, and related statements of fact need not be submitted under oath. Willful false statements made therein, however, are punishable by fine and imprisonment, United States Code, title 18, section 1001, and by appropriate administrative sanctions, including revocation of station license pursuant to section

Federal Communications Commission

§ 78.18

312(a)(1) of the Communications Act of 1934, as amended.

[37 FR 15926, Aug. 8, 1972]

§ 78.17 Amendment of applications.

Any application may be amended as a matter of right prior to the adoption date of any final action taken by the Commission with respect to the application. If a petition to deny has been filed, the amendment shall be served on the petitioner.

[68 FR 27004, May 19, 2003]

§ 78.18 Frequency assignments.

(a) The Cable Television Relay Service is assigned the band of frequencies from 12.70 to 13.20 GHz. This band is shared with the Fixed-Satellite Service (earth-to-space) from 12.70 to 12.75 GHz and Television Auxiliary Broadcast Stations from 12.70 to 13.20 GHz. The following channels may be assigned to CARS stations for the propagation of radio waves with the indicated polarization:

(1) For CARS stations using FM transmission:

GROUP A CHANNELS

Designation	Channel boundaries (GHz)
A01 ¹	12.700–12.725
A02 ¹	12.725–12.750
A03 ¹	12.750–12.775
A04 ¹	12.775–12.800
A05 ¹	12.800–12.825
A06 ¹	12.825–12.850
A07 ¹	12.850–12.875
A08 ¹	12.875–12.900
A09 ¹	12.900–12.925
A10 ¹	12.925–12.950
A11 ¹	12.950–12.975
A12 ¹	12.975–13.000
A13 ¹	13.000–13.025
A14 ¹	13.025–13.050
A15 ¹	13.050–13.075
A16 ¹	13.075–13.100
A17 ¹	13.100–13.125
A18 ¹	13.125–13.150
A19 ¹	² 13.150–13.175
A20 ¹	² 13.170–13.200

¹ Appropriate polarization designation:
H=Horizontally polarized propagated radio wave.
V=Vertically polarized propagated radio wave.
R=Right-handed (clockwise) elliptically polarized propagated radio wave.
L=Left-handed (counter-clockwise) elliptically polarized propagated radio wave.

² See paragraph (l) of this section.

NOTE: Polarization designations shall be in accordance with IEEE standard 100–1972 as amended.

GROUP B CHANNELS

Designation	Channel boundaries (GHz)
B01 ¹	12.7125–12.7375
B02 ¹	12.7375–12.7625
B03 ¹	12.7625–12.7875
B04 ¹	12.7875–12.8125
B05 ¹	12.8125–12.8375
B06 ¹	12.8375–12.8625
B07 ¹	12.8625–12.8875
B08 ¹	12.8875–12.9125
B09 ¹	12.9125–12.9375
B10 ¹	12.9375–12.9625
B11 ¹	12.9625–12.9875
B12 ¹	12.9875–13.0125
B13 ¹	13.0125–13.0375
B14 ¹	13.0375–13.0625
B15 ¹	13.0625–13.0875
B16 ¹	13.0875–13.1125
B17 ¹	13.1125–13.1375
B18 ¹	² 13.1375–13.1625
B19 ¹	² 13.1625–13.1875

¹ See footnote 1 following GROUP A CHANNELS.

² See paragraph (l) of this section.

NOTE: Polarization designations shall be in accordance with IEEE standard 100–1972 as amended.

(2) CARS stations using vestigial side-band AM transmission and FM transmission requiring a necessary bandwidth of no more than 6 MHz.

GROUP C CHANNELS

Designation	Channel boundaries (GHz) [C channels]	Alternate change boundaries (GHz) [Ca channels]
C01 ¹	12.7005–12.7065	12.7005–12.7065
C02 ¹	12.7065–12.7125	12.7065–12.7125
C03 ¹	12.7125–12.7185	12.7125–12.7185
C04 ¹	12.7185–12.7225 ²	12.7185–12.7245
C05 ¹	12.7225–12.7285	12.7245–12.7305
C06 ¹	12.7285–12.7345	12.7305–12.7365
C07 ¹	12.7345–12.7405	12.7365–12.7425
C08 ¹	12.7405–12.7465	12.7425–12.7485
C09 ¹	12.7465–12.7525	12.7485–12.7545
C10 ¹	12.7525–12.7545 ²	
C11 ¹	12.7545–12.7605	12.7545–12.7605
C12 ¹	12.7605–12.7665	12.7605–12.7665
C13 ¹	12.7665–12.7725	12.7665–12.7725
C14 ¹	12.7725–12.7785	12.7725–12.7785
C15 ¹	12.7785–12.7845	12.7785–12.7845
C16 ¹	12.7845–12.7905	12.7845–12.7905
C17 ¹	12.7905–12.7965	12.7905–12.7965
C18 ¹	12.7965–12.8025	12.7965–12.8025
C19 ¹	12.8025–12.8085	12.8025–12.8085
C20 ¹	12.8085–12.8145	12.8085–12.8145
C21 ¹	12.8145–12.8205	12.8145–12.8205
C22 ¹	12.8205–12.8265	12.8205–12.8265
C23 ¹	12.8265–12.8325	12.8265–12.8325
C24 ¹	12.8325–12.8385	12.8325–12.8385
C25 ¹	12.8385–12.8445	12.8385–12.8445
C26 ¹	12.8445–12.8505	12.8445–12.8505
C27 ¹	12.8505–12.8565	12.8505–12.8565
C28 ¹	12.8565–12.8625	12.8565–12.8625
C29 ¹	12.8625–12.8685	12.8625–12.8685
C30 ¹	12.8685–12.8745	12.8685–12.8745
C31 ¹	12.8745–12.8805	12.8745–12.8805
C32 ¹	12.8805–12.8865	12.8805–12.8865
C33 ¹	12.8865–12.8925	12.8865–12.8925
C34 ¹	12.8925–12.8985	12.8925–12.8985