

All applications submitted by NGOs must be accompanied by a new, written certification of support (for the NGO applicant to operate the applied for station) by the state or local government entity. Applications for a unicom license at the same airport, where only one unicom may be licensed, that are filed by two or more applicants meeting these eligibility criteria must be resolved through settlement or technical amendment.

(d) At an airport where only one unicom may be licensed, the license may be assigned or transferred only to an entity meeting the requirements of paragraph (c) of this section.

(e) An applicant for renewal of a unicom license shall be granted a presumptive renewal expectancy regardless of whether the applicant is eligible for a new unicom license under paragraph (c) of this section. Unless the renewal expectancy is defeated, applications that are mutually exclusive with the renewal application will not be accepted. The renewal expectancy may be defeated only upon a determination, following a hearing duly designated on the basis of a petition to deny or on the Commission's own motion, that the renewal applicant has not provided substantial service. For purposes of this paragraph, substantial service means service which is sound, favorable, and substantially above a level of mediocre service during the applicant's past license term. If the renewal expectancy is defeated, the renewal application will be dismissed unless the renewal applicant is eligible for a new unicom license pursuant to paragraph (c) of this section.

(f) At an airport where only one unicom may be licensed, when the Commission believes that the unicom has been abandoned or has ceased operation, another unicom may be licensed on an interim basis pending final determination of the status of the original unicom. An applicant for an interim license must notify the present licensee and must comply with the notice requirements of paragraph (g) of this section.

(g) An applicant for a unicom license, renewal or modification of frequency assignment at an airport which does not have a control tower, RCO or FAA

flight service station must notify in writing the owner of the airport and all aviation service organizations located at the airport. The notice must include the applicant's name and address, the name of the airport and a statement that the applicant intends to file an application with the Commission for a unicom. The notice must be given within the ten days preceding the filing of the application with the Commission. Each applicant must certify upon application that either notice has been given and include the date of notification, or notice is not required because the applicant owns the airport and there are no organizations that should be notified.

[53 FR 28940, Aug. 1, 1988, as amended at 55 FR 30464, July 26, 1990; 63 FR 68957, Dec. 14, 1998; 69 FR 32885, June 14, 2004; 76 FR 17352, Mar. 29, 2011]

#### § 87.217 Frequencies.

(a) Only one unicom frequency will be assigned at any one airport. Applicants must request a particular frequency, which will be taken into consideration when the assignment is made. The frequencies assignable to unicoms are:

(1) 122.950 MHz at airports which have a full-time control tower or full-time FAA flight service station.

(2) 122.700, 122.725, 122.800, 122.975, 123.000, 123.050 or 123.075 MHz at all other airports.

(b) 121.500 MHz: emergency and distress only.

[53 FR 28940, Aug. 1, 1988, as amended at 55 FR 30464, July 26, 1990; 58 FR 67696, Dec. 22, 1993; 69 FR 32885, June 14, 2004]

#### § 87.219 Automatic operations.

(a) A station operator need not be present when an automated unicom is in operation.

(b) Unicoms operating in an automated mode must comply with the requirements of paragraphs (1)–(5) of this section, in addition to the requirements applicable to non-automated unicom operations.

(1) An automated unicom must transmit only in response to interrogating signals from aircraft, including but not limited to the brief keyed RF signals specified in § 87.187(y).