

cannot resolve an interference complaint from an impacted Federal agency, then the licensee must cease operation on the frequency upon notification by the Commission.

(d) The frequencies 166.250 MHz and 170.150 MHz are available for assignment to licensees engaged in public safety activities, subject to the provisions of this section:

(1) These frequencies are available for assignment to stations in the Public Safety Pool, only at points within 241.4 km. (150 mi.) of New York, N.Y.;

(2) Operations on these channels is on a secondary basis to any Federal station; and

(3) After May 27, 2005, if a licensee that uses equipment with an authorized bandwidth greater than 11.25 kHz cannot resolve an interference complaint from an impacted Federal agency, then the licensee must cease operation on the frequency upon notification by the Commission.

(4) After May 27, 2005, channels for new operations are limited to an authorized bandwidth not to exceed 11.25 kHz. Between May 27, 2005, and January 1, 2013, existing systems with an authorized bandwidth of greater than 11.25 kHz (including those systems that expand existing operations) may continue to operate with a bandwidth greater than 11.25 kHz, subject to the limitations set forth in paragraph (d)(3), of this section.

(e) The following frequencies are available for use by Medical Radiocommunication Systems:

(1) The frequencies 150.775 MHz, 150.790 MHz, and 163.250 MHz, subject to following provisions:

(i) After May 27, 2005, new assignments for these frequencies shall be authorized only for the purpose of delivering or rendering medical services to individuals (medical radiocommunication systems).

(ii) After May 27, 2005, new operations on the frequency 163.250 MHz are limited to an authorized bandwidth not to exceed 11.25 kHz.

(iii) After January 1, 2008, new operations on the frequencies 150.775 MHz and 150.790 MHz are limited to an authorized bandwidth not to exceed 11.25 kHz.

(iv) Existing systems with an authorized bandwidth of greater than 11.25 kHz (including those systems that expand existing operations) may continue to operate on a primary basis with a bandwidth greater than 11.25 kHz until January 1, 2013. After January 1, 2013, stations that use the frequencies 150.775 MHz, 150.790 MHz, or 163.250 MHz shall be limited to an authorized bandwidth not to exceed 11.25 kHz.

(2) The frequency 152.0075 MHz and frequencies within the bands 462.9375–463.1875 MHz and 467.9375 MHz–468.1875 MHz, subject to the limitations specified in § 90.20.

(Secs. 4(i) and 303(r), Communications Act of 1934, as amended, §§ 0.131 and 0.331 of the Commission's Rules and 5 U.S.C. 553 (b)(3)(B) and (d)(3))

[49 FR 20506, May 15, 1984, as amended at 62 FR 18929, Apr. 17, 1997; 70 FR 21661, Apr. 27, 2005]

§ 90.266 Long distance communications on frequencies below 25 MHz.

(a) The use of any particular frequency between 2 and 25 MHz is limited to those frequencies falling within the bands allocated to the fixed and land mobile services as indicated in § 2.106 of the Commission's Rules and Regulations.

(b) Only in the following circumstances will authority be extended to stations to operate on the frequencies below 25 MHz:

(1) To provide communications circuits to support operations which are highly important to the national interest and where other means of telecommunication are unavailable;

(2) To provide standby and/or backup communications circuits to regular domestic communications circuits which have been disrupted by disasters and/or emergencies.

(c) No protection is afforded to users of these frequencies from harmful interference caused by foreign operations.

(d) In the event that a complaint of harmful interference resulting from operation of these circuits is received from a foreign source, the offending circuit(s) must cease operation on the particular frequency concerned immediately upon notification by the Commission.

(e) In order to accommodate the situations described in paragraphs (c) and (d) of this section, the equipment shall be capable of transmitting and receiving on any frequency within the bands between 2 and 25 MHz and capable of immediate change among the frequencies, provided, however, that this requirement does not apply to equipment manufactured prior to August 15, 1983.

(f) Only 2K80J3E, 100HA1A, 100HA1B and those emission types listed in §90.237(g) are permitted.

(g) Applicants must fulfill eligibility requirements set out in §90.35(c)(1) and submit communications plans pursuant to §90.129(o).

(h) Exercises or circuits tests which require use of these frequencies for more than seven hours per week cumulative are prohibited unless prior written approval is obtained from the Commission.

[48 FR 32996, July 20, 1983, as amended at 49 FR 48712, Dec. 14, 1984; 52 FR 29856, Aug. 12, 1987; 62 FR 18929, Apr. 17, 1997]

§90.267 Assignment and use of frequencies in the 450-470 MHz band for low power use.

(a) The following frequencies between 450-470 MHz are designated for low-power use subject to the provisions of this section. For purposes of this section these frequencies are referred to as "low power frequencies." Pairs are shown but single frequencies are available for simplex operations.

(b) *Group A1 Frequencies.* The Industrial/Business Pool frequencies in Group A1 are available on a coordinated basis, pursuant to §§90.35(b)(2) and 90.175(b), as follows:

(1) Group A1 frequencies are available for voice and non-voice operations on a co-primary basis. Base, mobile and operational fixed stations will be au-

thorized on Group A1 frequencies. Fixed stations may be licensed as mobile.

(2) Within 80 kilometers (50 miles) of the specified coordinates of the top 100 urban areas listed in §90.741 of this chapter ("80 km circles") only low power operation will be authorized. The coordinates of an operational fixed or base station and the geographic center (latitude and longitude) of a mobile area of operation determine whether a station is within an "80 km circle."

(i) The maximum ERP for low power operation on Group A1 frequencies is as follows:

| Operation | Low side of frequency pair (watts) | High side of frequency pair (watts) |
|---------------------------------|------------------------------------|-------------------------------------|
| Operational Fixed or Base | 20 | 6 |
| Mobile | 6 | 6 |
| Portable | 2 | 2 |

(ii) The maximum antenna height for low power fixed stations on Group A1 frequencies will be 23 meters (75 feet) above ground.

(3) Outside the "80 km circles" defined in paragraph (b)(2), full-power operational fixed, base, or mobile stations will be authorized as follows:

(i) Power and antenna height limits are governed by §90.205 of this chapter;

(ii) For any operational fixed, base or mobile station exceeding the low power or antenna height limits listed in paragraph (b)(2), the 21 dBu F(50,10) contour may not overlap any portion of an "80 km circle;" and,

(iii) Wide area operations will not be permitted. The area of normal day-to-day operations will be described in the application in terms of maximum distance from a geographic center (latitude and longitude).

(4) The Industrial/Business Pool Group A1 Low Power Frequencies are as follows:

| | | | |
|---------------|---------------|---------------|---------------|
| 451/456.18125 | 451/456.58125 | 452/457.10625 | 452/457.70625 |
| 451/456.1875 | 451/456.5875 | 452/457.1125 | 452/457.7125 |
| 451/456.19375 | 451/456.59375 | 452/457.11875 | 452/457.71875 |
| 451/456.28125 | 451/456.60625 | 452/457.13125 | 452/457.78125 |
| 451/456.2875 | 451/456.6125 | 452/457.1375 | 452/457.7875 |
| 451/456.29375 | 451/456.61875 | 452/457.14375 | 452/457.79375 |
| 451/456.30625 | 451/456.65625 | 452/457.15625 | 452/457.80625 |
| 451/456.3125 | 451/456.6625 | 452/457.1625 | 452/457.8125 |
| 451/456.31875 | 451/456.66875 | 452/457.16875 | 452/457.81875 |
| 451/456.35625 | 451/456.68125 | 452/457.18125 | 452/457.83125 |