

degree with the applicant, and that the proposed usage by such customers, in terms of hours of use and channels delivered, must constitute at least fifty percent of the usage of the applicant's microwave service. Applications that do not contain these certifications will be returned as unacceptable for filing.

[61 FR 26677, May 28, 1996, as amended at 63 FR 68983, Dec. 14, 1998]

#### § 101.703 Permissible communications.

Stations in this service are authorized to render any kind of communication service provided for in the legally applicable tariffs of the carrier, unless otherwise directed in the applicable instrument of authorization or limited by § 101.147 or §§ 101.111 and 101.113.

#### § 101.705 Special showing for renewal of common carrier station facilities using frequency diversity.

Any application for renewal of license, for a term commencing January 1, 1975, or after, involving facilities utilizing frequency diversity must contain a statement showing compliance with § 101.103(c) or the exceptions recognized in paragraph 141 of the *First Report and Order* in Docket No. 18920 (29 FCC 2d 870). (This document is available at: Federal Communications Commission, Library (Room TW-B505), 445 Twelfth Street, SW, Washington, DC) If not in compliance, a complete statement with the reasons therefore must be submitted.

[64 FR 53242, Oct. 1, 1999]

### Subpart J—Local Television Transmission Service

#### § 101.801 Eligibility.

Authorizations for stations in this service will be granted to existing and proposed communication common carriers. Applications will be granted only in cases where it is shown that:

- (a) The applicant is legally, financially, technically and otherwise qualified to render the proposed service;
- (b) There are frequencies available to enable the applicant to render a satisfactory service; and
- (c) The public interest, convenience or necessity would be served by a grant thereof.

#### § 101.803 Frequencies.

(a) Frequencies in the following bands are available for assignment to television pickup and television non-broadcast pickup stations in this service:

- 6,425 to 6,525 MHz. (6)
- 11,700 to 12,200 MHz. (3)
- 13,200 to 13,250 MHz. (1)
- 14,200 to 14,400 MHz. (8)
- 21,200 to 22,000 MHz. (1), (2), (4), (5)
- 22,000 to 23,600 MHz. (1), (2), (5)
- 31,000 to 31,300 MHz. (7)

#### Notes

(1) This frequency band is shared with fixed and mobile stations licensed under this and other parts of the Commission's Rules.

(2) This frequency band is shared with Government stations.

(3) This frequency band is shared, on a secondary basis, with stations in the broadcasting-satellite and fixed-satellite services. As of March 1, 2005, no new LTTS operators will be licensed in the 11.7–12.2 GHz band. LTTS operators authorized prior to March 1, 2005 may continue to operate in 11.7–12.2 GHz band until their license expires; no existing LTTS licenses will be renewed in the 11.7–12.2 GHz band.

(4) This frequency band is shared with stations in the earth-exploration satellite service.

(5) This frequency band is shared with the common carrier and private-operational fixed point-to-point microwave services.

(6) This band is co-equally shared with mobile stations licensed pursuant to parts 74 and 78 of this chapter, and subpart H of this part.

(7) As of June 30, 1997, frequencies in this band only are available for assignment to LMDS radio stations, except for non-LMDS radio stations authorized pursuant to applications refiled no later than June 26, 1998. Stations authorized prior to June 30, 1997, may continue to operate within the existing terms of the outstanding licenses, subject to renewal. Non-LMDS stations authorized pursuant to applications refiled no later than June 26, 1998 shall operate on an unprotected basis and subject to harmful interference from similarly licensed stations or stations licensed prior to June 30, 1997, and on a secondary basis to LMDS radio stations.

(8) The maximum power for the local television transmission service in the 14.2–14.4 GHz band is +45 dBW except that operations are not permitted within 1.5 degrees of the geostationary orbit. As of March 1, 2005, no new LTTS operators will be licensed in the 14.2–14.4 GHz band. LTTS operators authorized prior to March 1, 2005 may continue to

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operate in 14.2–14.4 GHz band until their license expires; no existing LTTS licenses will be renewed in the 11.7–12.2 GHz band.

(b) Communications common carriers in the Local Television Transmission Service may be assigned frequencies listed in §§ 74.602(a), 78.18(a)(6), and 78.18(a)(7) of this chapter to provide service to television broadcast stations, television broadcast network-entities, cable system operators, and cable network-entities. Frequency availability is subject to the provisions of § 74.604 of this chapter and the use of the facility is limited to the permissible uses described in §§ 74.631 and 78.11 of this chapter. Operations on these frequencies are subject to the technical provisions of part 74, subpart F, and part 78, subpart D of this chapter.

(c) [Reserved]

(d) Frequencies in the following bands are available for assignment to television STL stations in this service:

- 3,700 to 4,200 MHz (1)
- 5,925 to 6,425 MHz (1),(5)
- 10,700 to 11,700 MHz (1),(6)
- 11,700 to 12,100 MHz (3)
- 13,200 to 13,250 MHz (2)
- 21,200 to 22,000 MHz (2),(4),(7),(8)
- 22,000 to 23,600 MHz (2),(6),(8)
- 31,000 to 31,300 MHz (9)

**Notes**

(1) This frequency band is shared with stations in the Point to Point Microwave Radio Service and, in United States Possessions in the Caribbean area, with stations in the International Fixed Radiocommunications Services.

(2) This frequency band is shared with fixed and mobile stations licensed under this and other parts of the Commission's rules.

(3) This frequency band is shared with space stations (space to earth) in the fixed-satellite service. As of March 1, 2005, no new LTTS operators will be licensed in the 11.7–12.2 GHz band. LTTS operators authorized prior to March 1, 2005 may continue to operate in 11.7–12.2 GHz band until their license expires; no existing LTTS licenses will be renewed in the 11.7–12.2 GHz band.

(4) This frequency band is shared with Government stations.

(5) This frequency band is shared with earth stations (earth to space) in the fixed-satellite services.

(6) The band segments 10.95–11.2 and 11.45–11.7 GHz are shared with space stations (space to earth) in the fixed-satellite service.

(7) This frequency band is shared with space stations (space to earth) in the earth exploration satellite service.

(8) This frequency band is shared with the common carrier and private-operational fixed point-to-point microwave services.

(9) As of June 30, 1997, frequencies in this band only are available for assignment to LMDS radio stations, except for non-LMDS stations authorized pursuant to applications refiled no later than June 26, 1998. Stations authorized prior to June 30, 1997, may continue to operate within the existing terms of the outstanding licenses, subject to renewal. Non-LMDS stations authorized pursuant to applications refiled no later than June 26, 1998 shall operate on an unprotected basis and subject to harmful interference from each other or stations licensed prior to June 30, 1997, and on a secondary basis to LMDS radio stations.

(e) *6425 to 6525 MHz—Mobile Only.* Paired and un-paired operations permitted. Use of this spectrum for direct delivery of video programs to the general public or for multi-channel cable distribution is not permitted. This band is co-equally shared with mobile stations licensed pursuant to parts 74 and 78 of this chapter. The following channel plans apply.

(1) 1 MHz maximum authorized bandwidth channels.

Transmit (or receive) (MHz)	Receive (or transmit) (MHz)
6425.5 .....	6475.5
6450.5 .....	6500.5

(2) 8 MHz maximum authorized bandwidth channels.

Transmit (or receive) (MHz)	Receive (or transmit) (MHz)
6430.0 .....	6480.0
6438.0 .....	6488.0
6446.0 .....	6596.0
6455.0 .....	6505.0
6463.0 .....	6513.0
6471.0 .....	6521.0

(3) 25 MHz maximum authorized bandwidth channels.

Transmit (or receive) (MHz)	Receive (or transmit) (MHz)
6437.5 .....	6487.5
6462.5 .....	6512.5

(f) The frequency 27.255 MHz in the 27.23–27.28 MHz band is allocated for assignment to microwave auxiliary stations in this service on a shared basis with other radio services. Assignments

to stations on this frequency will not be protected from such interference as may be experienced from the emissions of industrial, scientific and medical equipment operating on 27.12 MHz in accordance with §2.106 of this chapter.

[61 FR 26677, May 28, 1996, as amended at 62 FR 23168, Apr. 29, 1997; 63 FR 9448, Feb. 25, 1998; 63 FR 14039, Mar. 24, 1998; 65 FR 38332, June 20, 2000; 68 FR 4961, Jan. 31, 2003; 68 FR 12777, Mar. 17, 2003; 70 FR 4788, Jan. 31, 2005]

**§ 101.805 Assignment of frequencies to mobile stations.**

The assignment of frequencies to mobile stations in this service will not be limited to a single licensee within any area. However, geographical limits within which mobile units may operate may be imposed by the Commission.

**§ 101.807 Transmitter power.**

Stations in this service will not be authorized to use transmitters having a rated power output in excess of the limits set forth in §101.113(b) and a standby transmitter having a rated power output in excess of that of the main transmitter with which it is associated will not be authorized. As an exception, operations on frequencies listed in §§74.602(a), 78.18(a)(6), and 78.18(a)(7) of this chapter are subject to the power limitations of §§74.636 and 78.101(a).

[68 FR 12777, Mar. 17, 2003]

**§ 101.809 Bandwidth and emission limitations.**

(a) Stations in this service operating on frequencies in the 27.23–27.28 MHz band will be authorized to employ only amplitude modulated or frequency modulated emission for radiotelephony. The authorization to use such emissions will be construed to include authority to employ unmodulated emission only for temporary or short periods necessary for equipment testing incident to the construction and maintenance of the station.

(b) Stations in the service operating on frequencies above 940 MHz may be authorized to use amplitude modulated, frequency modulated or pulse type of emission for radiotelephony and television. In addition, the use of

unmodulated emission may be authorized in appropriate cases.

(c) The maximum bandwidths which will normally be authorized for single channel operation on frequencies below 500 MHz in this service must not exceed the limits set forth below:

Type of emission	Authorized bandwidth (kHz)
A3E .....	8
F3E or (G3E) .....	40

(d) Maximum bandwidths in the following frequency bands must not exceed the limits set forth below:

MAXIMUM AUTHORIZED	
Frequency band (MHz)	Bandwidth (MHz)
3,700 to 4,200 .....	120
5,925 to 6,425 .....	130
6,425 to 6,525 .....	25
10,700 to 12,200 .....	<sup>1</sup> 40
13,200 to 13,250 .....	25
21,200 to 23,600 .....	<sup>1</sup> 50

<sup>1</sup> The maximum bandwidth that will be authorized for each particular frequency in this band is detailed in the appropriate frequency table in §101.147.

<sup>2</sup> As of March 1, 2005, no new LTTS operators will be licensed in the 11.7–12.2 GHz band. LTTS operators authorized prior to March 1, 2005 may continue to operate in 11.7–12.2 GHz band until their license expires; no existing LTTS licenses will be renewed in the 11.7–12.2 GHz band.

(e) The bandwidths authorized on frequencies above 500 MHz must be appropriate to the type of operation in any particular case. An application requesting such authorization must fully describe the modulation, emission, and bandwidth desired and must specify the bandwidth to be occupied.

[61 FR 26677, May 28, 1996, as amended at 68 FR 4961, Jan. 31, 2003; 70 FR 4788, Jan. 31, 2005]

**§ 101.811 Modulation requirements.**

(a) The use of modulating frequencies higher than 3000 hertz for single channel radiotelephony or tone signaling on frequencies below 500 MHz is not authorized.

(b) When amplitude modulation is used, the modulation percentage must be sufficient to provide efficient communication and must normally be maintained above 70 percent on positive peaks, but may not exceed 100 percent on negative peaks.

(c) When phase or frequency modulation is used for single channel