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license at such auction will be based on the RN calculated for the EA license based on the first auction (calculated under paragraphs (a) or (b), as applicable, of this section).

(d) For purposes of compliance with this section, licensees should determine population based on 2010 U.S. Census Data or such other data or measurements that the Wireless Telecommunications Bureau proposes and adopts under the notice and comment process for the auction procedures.

(e) A payment obligation owed by a Upper H Block licensee under this section shall be made within thirty (30) days of the grant of the license (i.e., grant of the long form application).

§ 27.1041 Termination of cost-sharing obligations.

(a) The cost-sharing obligation adopted in this subpart for the Lower H Block and for the Upper H Block will sunset ten years after the first license is issued in the respective band.

(b) A Lower H Block licensee and an Upper H Block licensee must satisfy in full its payment obligations under this subpart K within thirty days of the grant of its long-form application. The failure to timely satisfy a payment obligation in full prior to the applicable sunset date will not terminate the debt owed or a party's right to collect the debt.

Subpart L—1710–1755 MHz, 2110–2155 MHz, 2000–2020 MHz, and 2180–2200 MHz bands

SOURCE: 69 FR 5716, Feb. 6, 2004, unless otherwise noted.

LICENSING AND COMPETITIVE BIDDING PROVISIONS

§ 27.1101 1710–1755 MHz and 2110–2155 MHz bands subject to competitive bidding.

Mutually exclusive initial applications for 1710–1755 MHz and 2110–2155 MHz band licenses are subject to competitive bidding. The general competitive bidding procedures set forth in 47 CFR part 1, subpart Q will apply unless otherwise provided in this subpart.

§ 27.1102 Designated Entities in the 1710–1755 MHz and 2110–2155 MHz bands.

(a) *Eligibility for small business provisions.* (1) A small business is an entity that, together with its affiliates, its controlling interests and the affiliates of its controlling interests, has average gross revenues that are not more than \$40 million for the preceding three years.

(2) A very small business is an entity that, together with its affiliates, its controlling interests and the affiliates of its controlling interests, has average gross revenues that are not more than \$15 million for the preceding three years.

(b) *Bidding credits.* (1) A winning bidder that qualifies as a small business, as defined in this section, or a consortium of small businesses may use a bidding credit of 15 percent, as specified in § 1.2110(f)(2)(iii) of this chapter, to lower the cost of its winning bid on any of the licenses in this part.

(2) A winning bidder that qualifies as a very small business, as defined in this section, or a consortium of very small businesses may use a bidding credit of 25 percent, as specified in § 1.2110(f)(2)(ii) of this chapter, to lower the cost of its winning bid on any of the licenses in this part.

§ 27.1103 2000–2020 MHz and 2180–2200 MHz bands subject to competitive bidding.

Mutually exclusive initial applications for 2000–2020 MHz and 2180–2200 MHz band licenses are subject to competitive bidding. The general competitive bidding procedures set forth in 47 CFR part 1, subpart Q will apply unless otherwise provided in this subpart.

[78 FR 8270, Feb. 5, 2013]

§ 27.1104 Designated Entities in the 2000–2020 MHz and 2180–2200 MHz bands.

Eligibility for small business provisions:

(a) *Small business.* (1) A small business is an entity that, together with its affiliates, its controlling interests, the affiliates of its controlling interests, and the entities with which it has an attributable material relationship, has average gross revenues not exceeding

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\$40 million for the preceding three years.

(2) A very small business is an entity that, together with its affiliates, its controlling interests, the affiliates of its controlling interests, and the entities with which it has an attributable material relationship, has average gross revenues not exceeding \$15 million for the preceding three years.

(b) *Bidding credits.* A winning bidder that qualifies as a small business as defined in this section or a consortium of small businesses may use the bidding credit specified in § 1.2110(f)(2)(iii) of this chapter. A winning bidder that qualifies as a very small business as defined in this section or a consortium of very small businesses may use the bidding credit specified in § 1.2110(f)(2)(ii) of this chapter.

[78 FR 8270, Feb. 5, 2013]

RELOCATION OF INCUMBENTS

§ 27.1111 Relocation of fixed microwave service licensees in the 2110–2150 MHz band.

Part 22, subpart E and part 101, subpart B of this chapter contain provisions governing the relocation of incumbent fixed microwave service licensees in the 2110–2150 MHz band.

[71 FR 29835, May 24, 2006]

PROTECTION OF INCUMBENT OPERATIONS

§ 27.1131 Protection of Part 101 operations.

All AWS licensees, prior to initiating operations from any base or fixed station, must coordinate their frequency usage with co-channel and adjacent channel incumbent, Part 101 fixed-point-to-point microwave licensees operating in the 2110–2155 MHz and 2180–2200 MHz bands. Coordination shall be conducted in accordance with the provisions of § 24.237 of this chapter.

[78 FR 8270, Jan. 5, 2013]

§ 27.1132 Protection of incumbent operations in the 2150–2160/62 MHz band.

All AWS licensees, prior to initiating operations from any base or fixed sta-

tion, shall follow the provisions of § 27.1255 of this part.

[71 FR 29835, May 24, 2006]

§ 27.1133 Protection of Part 74 and Part 78 operations.

AWS operators must protect previously licensed Broadcast Auxiliary Service (BAS) or Cable Television Radio Service (CARS) operations in the adjacent 2025–2110 MHz band. In satisfying this requirement AWS licensees must, before constructing and operating any base or fixed station, determine the location and licensee of all BAS or CARS stations authorized in their area of operation, and coordinate their planned stations with those licensees. In the event that mutually satisfactory coordination agreements cannot be reached, licensees may seek the assistance of the Commission, and the Commission may, at its discretion, impose requirements on one or both parties.

§ 27.1134 Protection of Federal Government operations.

(a) *Protection of Department of Defense operations in the 1710–1755 MHz band.* The Department of Defense (DoD) operates communications systems in the 1710–1755 MHz band at 16 protected facilities, nationwide. AWS licensees must accept any interference received from these facilities and must protect the facilities from interference. AWS licensees shall protect the facilities from interference by restricting the operation of their base and fixed stations from any locations that could potentially permit AWS mobile, fixed, and portable stations transmitting in the 1710–1755 MHz band to cause interference to government operations within the radii of operation of the 16 facilities (the radii of operation of each facility is indicated in the third column of Table 1 immediately following paragraph (a)(3) of this section). In addition, AWS licensees shall be required to coordinate any operations that could permit mobile, fixed, and portable stations to operate in the specified areas of the 16 facilities, as defined in paragraph (a)(3) of this section. Protection of these facilities in this manner shall take place under the following conditions: