

## Federal Communications Commission

## § 5.309

(ABET); a research laboratory; a hospital or health care institution; a manufacturer of radio frequency equipment; or a manufacturer that integrates radio frequency equipment into their end products. Each applicant must meet the following requirements:

(a) The radiofrequency experimentation will be conducted in a defined geographic area under the applicant's control;

(b) The applicant has institutional processes to monitor and effectively manage a wide variety of research projects; and

(c) The applicant has demonstrated expertise in radio spectrum management or partner with another entity that has such expertise.

### § 5.303 Frequencies.

Licensees may operate in any frequency band, except for frequency bands exclusively designated as restricted in § 15.205(a) of this chapter with the additional exception that program licensees are permitted to operate in frequency bands above 38.6 GHz, unless these bands are listed in footnote US246 of the Table of Frequency Allocations.

### § 5.304 Area of operations.

Applications must specify, and the Commission will grant authorizations for, a geographic area that is inclusive of an institution's real-property facilities where the experimentation will be conducted and that is under the applicant's control. If an applicant wants to conduct experiments in more than one defined geographic area, it shall apply for a license for each location.

### § 5.305 Program license not permitted.

Experiments are not permitted under this subpart and a conventional experimental radio license is required when:

(a) An environmental assessment must be filed with the Commission as required by § 5.63(a), or

(b) An orbital debris mitigation plan must be filed with the Commission as required by § 5.64, or

(c) The applicant requires non-disclosure of proprietary information as part of its justification for its license application; or

(d) A product development or a market trial is to be conducted.

### § 5.307 Responsible party.

(a) Each program experimental radio applicant must identify a single point of contact responsible for all experiments conducted under the license, including

(1) Ensuring compliance with the notification requirements of § 5.309 of this part; and

(2) Ensuring compliance with all applicable FCC rules.

(b) The responsible individual will serve as the initial point of contact for all matters involving interference resolution and must have the authority to discontinue any and all experiments being conducted under the license, if necessary.

(c) The license application must include the name of the responsible individual and contact information at which the person can be reached at any time of the day; this information will be listed on the license. Licensees are required to keep this information current.

EFFECTIVE DATE NOTE: At 78 FR 25162, Apr. 29, 2013, §§ 5.307 was added. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

### § 5.308 Stop buzzer.

A "Stop Buzzer" point of contact must be identified and available at all times during operation of each experiment conducted under a program license. A "stop buzzer" point of contact is a person who can address interference concerns and cease all transmissions immediately if interference occurs.

EFFECTIVE DATE NOTE: At 78 FR 25162, Apr. 29, 2013, §§ 5.308 was added. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

### § 5.309 Notification requirements.

(a) At least ten calendar days prior to commencement of any experiment, program experimental licensees must provide the following information to