

## Federal Communications Commission

## § 90.555

Floor, New York, NY 10036 (or via the Internet at [www.ansi.org](http://www.ansi.org).)

[67 FR 61005, Sept. 27, 2002, as amended at 72 FR 48863, Aug. 24, 2007]

### § 90.549 Transmitter certification.

Transmitters operated in the 763–775 MHz and 793–805 MHz frequency bands must be of a type that have been authorized by the Commission under its certification procedure as required by § 90.203.

[72 FR 67577, Nov. 29, 2007]

### § 90.551 Construction requirements.

Each station authorized under this subpart to operate in the 769–775 MHz and 799–805 MHz frequency bands must be constructed and placed into operation within 12 months from the date of grant of the authorization, except for State channels. However, licensees may request a longer construction period, up to but not exceeding 5 years, pursuant to § 90.155(b). State channels are subject to the build-out requirements in § 90.529.

[72 FR 48863, Aug. 24, 2007]

### § 90.553 Encryption.

(a) Encryption is permitted on all but the two nationwide Interoperability calling channels. Radios employing encryption must have a readily accessible switch or other readily accessible control that permits the radio user to disable encryption.

(b) If Encryption is employed then the following encryption protocol must be used: Project 25 DES Encryption Protocol, approved January 23, 2001, Telecommunications Industry Association, ANSI/TIA/EIA-102.AAAA-A-2001.

(c) The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the standard listed in this section that are incorporated by reference may be inspected at the Federal Communications Commission, 445 12th Street, SW., Washington, DC (Reference Information Center) or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/](http://www.archives.gov/federal_register/)

*code\_of\_federal\_regulations/ibr\_locations.html*. The standard can also be purchased from TIA/EIA, 2500 Wilson Boulevard, Arlington, VA, 22201; Global Engineering Documents, 15 Inverness Way East, Englewood, CO 80112; or the American National Standards Institute, 25 West 43rd Street, Fourth Floor, New York, NY 10036 (or via the Internet at [www.ansi.org](http://www.ansi.org).)

[66 FR 10636, Feb. 16, 2001, as amended at 67 FR 61006, Sept. 26, 2002]

### § 90.555 Information exchange.

(a) *Prior notification.* Public safety licensees authorized to operate in the 763–775 MHz and 793–805 MHz bands may notify any licensee authorized to operate in the 746–757, 758–763, 776–787, or 788–793 MHz bands that they wish to receive prior notification of the activation or modification of the licensee's base or fixed stations in their area. Thereafter, the 746–757, 758–763, 776–787, or 788–793 MHz band licensee must provide the following information to the public safety licensee at least 10 business days before a new base or fixed station is activated or an existing base or fixed station is modified:

- (1) Location;
- (2) Effective radiated power;
- (3) Antenna height; and
- (4) Channels available for use.

(b) *Purpose of prior notification.* The prior coordination of base or fixed stations is for informational purposes only. Public safety licensees are not afforded the right to accept or reject the activation of a proposed base or fixed station or to unilaterally require changes in its operating parameters. The principal purposes of notification are to:

(1) Allow a public safety licensee to advise the 746–757, 758–763, 776–787, or 788–793 MHz band licensee whether it believes a proposed base or fixed station will generate unacceptable interference;

(2) Permit 746–757, 758–763, 776–787, and 788–793 MHz band licensees to make voluntary changes in base or fixed station parameters when a public safety licensee alerts them to possible interference; and,

(3) Rapidly identify the source if interference is encountered when the base or fixed station is activated.

**§ 90.601**

**47 CFR Ch. I (10–1–13 Edition)**

(c) *Public Safety Information Exchange.*  
(1) Upon request by a 746–757, 758–763, 776–787, or 788–793 MHz band licensee, public safety licensees authorized to operate radio systems in the 763–775 and 793–805 MHz bands shall provide the operating parameters of their radio system to the 746–757, 758–763, 776–787, or 788–793 MHz band licensee.

(2) Public safety licensees who perform the information exchange described in this section must notify the appropriate 746–757, 758–763, 776–787, or 788–793 MHz band licensees prior to any technical changes to their radio system.

[72 FR 27713, May 16, 2007, as amended at 72 FR 67578, Nov. 29, 2007]

**Subpart S—Regulations Governing Licensing and Use of Frequencies in the 806–824, 851–869, 896–901, and 935–940 MHz Bands**

**§ 90.601 Scope.**

This subpart sets out the regulations governing the licensing and operations of all systems operating in the 806–824/851–869 MHz and 896–901/935–940 MHz bands. It includes eligibility requirements, and operational and technical standards for stations licensed in these bands. It also supplements the rules regarding application procedures contained in part 1, subpart F of this chapter. The rules in this subpart are to be read in conjunction with the applicable requirements contained elsewhere in this part; however, in case of conflict, the provisions of this subpart shall govern with respect to licensing and operation in these frequency bands.

[63 FR 68967, Dec. 14, 1998]

**APPLICATION FOR AUTHORIZATIONS**

**§ 90.603 Eligibility.**

The following persons are eligible for licensing in the 806–824 MHz, 851–869 MHz, 896–901 MHz, and 935–940 MHz Bands.

(a) Any person eligible for licensing under subparts B, C, D, or E of this part.

(b) Any person proposing to provide communications service to any person eligible for licensing under subparts B

or C of this part on a not-for-profit, cost-shared basis.

(c) Any person eligible under this part and proposing to provide on a commercial basis base station ancillary facilities as a Specialized Mobile Radio Service System operator, for the use of individuals, federal government agencies and persons eligible for licensing under subparts B or C of this part.

[47 FR 41032, Sept. 16, 1982, as amended at 53 FR 1025, Jan. 15, 1988; 60 FR 15495, Mar. 24, 1995; 62 FR 18934, Apr. 17, 1997]

**§ 90.605 Forms to be used.**

Applications for conventional and trunked radio facilities must be prepared on FCC Form 601 and must be submitted or filed in accordance with § 90.127 and part 1, subpart F of this chapter.

[63 FR 68967, Dec. 14, 1998]

**§ 90.607 Supplemental information to be furnished by applicants for facilities under this subpart.**

(a) Except for applicants for SMR licenses, all applicants for conventional radio systems must:

(1) List all radio systems licensed to them or proposed by them within 64 km (40 mi.) from the location of the base station transmitter site of the facility for which they have applied.

(2) Specify the number of mobile units to be placed in operation upon grant of the authorization and the number of such units that will be placed in operation within 8 months of the date of grant.

(b) Except for applicants for SMR licenses, all applicants for trunked systems must:

(1) List all radio systems licensed to them within 64 km (40 mi.) from the location of the base station transmitter site of the facility for which they have applied;

(2) Specify the number of vehicular and portable mobile units and control stations to be placed in operation within the term of the license.

(c) [Reserved]

(d) All applicants for frequencies governed by this subpart are subject to the frequency coordination requirements