

of § 90.175(b) except applicants requesting frequencies for EA-based SMR operations in the 806–824 MHz/851–869 MHz band or 896–901 MHz/935–940 MHz band.

[47 FR 41032, Sept. 16, 1982, as amended at 49 FR 36377, Sept. 17, 1984; 51 FR 14999, Apr. 22, 1986; 59 FR 59966, Nov. 21, 1994; 63 FR 68967, Dec. 14, 1998; 69 FR 67838, Nov. 22, 2004; 70 FR 61061, Oct. 20, 2005]

**§ 90.609 Special limitations on amendment of applications for assignment or transfer of authorizations for radio systems above 800 MHz.**

(a) [Reserved]

(b) A license to operate a conventional or trunked radio system may not be assigned or transferred prior to the completion of construction of the facility. However, the Commission may give its consent to the assignment or transfer of control of such a license prior to the completion of construction where:

(1) The assignment or transfer does not involve a substantial change in ownership or control of the authorized radio facilities; or,

(2) The assignment or transfer is involuntary due to the licensee’s insolvency, bankruptcy, incapacity, or death.

(c) Licensees of constructed systems in any category are permitted to make partial assignments of an authorized grant to an applicant proposing to create a new system or to an existing licensee that has loaded its system to 70 mobiles per channel and is expanding that system. An applicant authorized to expand an existing system or to create a new system with frequencies from any category obtained through partial assignment will receive the assignor’s existing license expiration date and loading deadline for the frequencies that are assigned. A licensee that makes a partial assignment of a station’s frequencies will not be authorized to obtain additional frequencies for that station for a period of one year from the date of the partial assignment.

(d) A constructed system originally licensed in the General Category that is authorized to operate in the conventional mode may be combined with an existing SMR system above 800 MHz authorized to operate in the trunked

mode by assignment of an authorized grant of the General Category station to the SMR station.

[47 FR 41032, Sept. 16, 1982, as amended at 55 FR 28029, July 9, 1990; 58 FR 44962, Aug. 25, 1993; 61 FR 6155, Feb. 16, 1996; 63 FR 68967, Dec. 14, 1998; 69 FR 67838, Nov. 22, 2004]

**POLICIES GOVERNING THE PROCESSING OF APPLICATIONS AND THE SELECTION AND ASSIGNMENT OF FREQUENCIES FOR USE IN THE 806–824 MHz, 851–869 MHz, 896–901 MHz, AND 935–940 MHz BANDS**

**§ 90.613 Frequencies available.**

The following table indicates the channel designations of frequencies available for assignment to eligible applicants under this subpart. Frequencies shall be assigned in pairs, with mobile and control station transmitting frequencies taken from the 806–824 MHz band with corresponding base station frequencies being 45 MHz higher and taken from the 851–869 MHz band, or with mobile and control station frequencies taken from the 896–901 MHz band with corresponding base station frequencies being 39 MHz higher and taken from the 935–940 MHz band. Only the base station transmitting frequency of each pair is listed in the following tables.

TABLE OF 806–824/851–869 MHz CHANNEL DESIGNATIONS

Channel No.	Base frequency (MHz)
1	851.0125
2	.0375
3	.0500
4	.0625
5	.0750
6	.0875
7	.1000
8	.1125
9	.1250
10	.1375
11	.1500
12	.1625
13	.1750
14	.1875
15	.2000
16	.2125
17	.2250
18	.2375
19	.2500
20	.2625
21	.2750
22	.2875
23	.3000
24	.3125
25	.3250
26	.3375