

Federal Communications Commission

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(f) The stations of a service shall use frequencies so separated from the limits of a band allocated to that service as not to cause harmful interference to allocated services in immediately adjoining frequency bands.

(g) In the bands above 25 MHz which are allocated to the non-Federal land mobile service, fixed stations may be authorized on the following conditions:

(1) That such stations are authorized in the service shown in Column 5 of the Table of Frequency Allocations in the band in question;

(2) That harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

(h) Special provisions regarding the use of spectrum allocated to the fixed and land mobile services below 25 MHz by non-Federal stations.

(1) Only in the following circumstances will authority be extended to stations in the fixed service to operate on frequencies below 25 MHz.

(i) With respect to aeronautical fixed stations, only when a showing can be made that more suitable facilities are not available.

(ii) With respect to fixed stations, except aeronautical fixed stations, only to:

(A) Provide communication circuits in emergency and/or disaster situations, where safety of life and property are concerned;

(B) Provide standby and/or backup facilities to satellite and cable circuits used for international public correspondence;

(C) Provide standby and/or backup communications circuits to regular domestic communication circuits which have been disrupted by disasters and/or emergencies;

(D) Provide communication circuits wholly within the State of Alaska and the United States insular areas in the Pacific; and

(E) Provide communication circuits to support operations which are highly important to the national interest and where other means of telecommunication are unavailable.

(2) Only in the following circumstances will authority be extended to stations in the land mobile service to operate below 25 MHz.

(i) Provide communication circuits in emergency and/or disaster situations, where safety of life and property are concerned;

(ii) Provide standby and/or backup communications circuits to regular domestic communication circuits which have been disrupted by disasters and/or emergencies;

(iii) Provide communication circuits wholly within the State of Alaska and the United States insular areas in the Pacific; and

(iv) Provide communication circuits to support operations which are highly important to the national interest and where other means of telecommunication are unavailable.

(3) Except in the State of Alaska and the United States Pacific insular areas, the Commission does not intend to seek international protection for assignments made pursuant to paragraphs (h) (1)(ii) and (2) of this section; this results in the following constraints upon the circuits/assignments.

(i) The Commission will not accept responsibility for protection of the circuits from harmful interference caused by foreign operations.

(ii) In the event that a complaint of harmful interference resulting from operation of these circuits is received from a foreign source, the offending circuit(s) must cease operation on the particular frequency concerned.

(iii) In order to accommodate the situations described in paragraphs (h)(3) (i) and (ii) of this section, equipments shall be capable of transmitting and receiving on any frequency in the bands assigned to the particular operation and capable of immediate change among the frequencies.

[49 FR 2373, Jan. 19, 1984, 70 FR 46585, Aug. 10, 2005, as amended at 78 FR 25161, Apr. 29, 2013]

§ 2.103 Federal use of non-Federal frequencies.

(a) Federal stations may be authorized to use non-Federal frequencies in the bands above 25 MHz (except the 758–775 MHz and 788–805 MHz public safety bands) if the Commission finds that such use is necessary for coordination of Federal and non-Federal activities: Provided, however, that:

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(1) Federal operation on non-Federal frequencies shall conform with the conditions agreed upon by the Commission and NTIA (the more important of which are contained in paragraphs (a)(2), (a)(3) and (a)(4) of this section);

(2) Such operations shall be in accordance with Commission rules governing the service to which the frequencies involved are allocated;

(3) Such operations shall not cause harmful interference to non-Federal stations and, should harmful interference result, that the interfering Federal operation shall immediately terminate; and

(4) Federal operation has been certified as necessary by the non-Federal licensees involved and this certification has been furnished, in writing, to the Federal agency with which communication is required.

(b) Federal stations may be authorized to use channels in the 769–775 MHz, 799–805 MHz and 4940–4990 MHz public safety bands with non-Federal entities if the Commission finds such use necessary; where:

(1) The stations are used for interoperability or part of a Federal/non-Federal shared or joint-use system;

(2) The Federal entity obtains the approval of the non-Federal (State/local government) licensee(s) or applicant(s) involved;

(3) Federal operation is in accordance with the Commission's Rules governing operation of this band and conforms with any conditions agreed upon by the Commission and NTIA; and

(4) Interoperability, shared or joint-use systems are the subject of a mutual agreement between the Federal and non-Federal entities. This section does not preclude other arrangements or agreements as permitted under part 90 of the rules. See 47 CFR 90.179 and 90.421 of this chapter.

(c) Federal stations may be authorized by the First Responder Network Authority to use channels in the 758–769 MHz and 788–799 MHz public safety bands.

[63 FR 58650, Nov. 2, 1998, as amended at 68 FR 38638, June 30, 2003; 70 FR 46586, Aug. 10, 2005; 72 FR 48843, Aug. 24, 2007; 79 FR 596, Jan. 6, 2014]

§ 2.104 International Table of Frequency Allocations.

(a) The International Table of Frequency Allocations is subdivided into the Region 1 Table (column 1 of § 2.106), the Region 2 Table (column 2 of § 2.106), and the Region 3 Table (column 3 of § 2.106). The International Table is included for informational purposes only.

(b) *Regions.* For the allocation of frequencies the International Telecommunication Union (ITU) has divided the world into three Regions¹ as shown in Figure 1 of this section and described as follows:

(1) *Region 1.* Region 1 includes the area limited on the east by line A (lines A, B and C are defined below) and on the west by line B, excluding any of the territory of the Islamic Republic of Iran which lies between these limits. It also includes the whole of the territory of Armenia, Azerbaijan, the Russian Federation, Georgia, Kazakhstan, Mongolia, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan, Turkey and Ukraine and the area to the north of the Russian Federation which lies between lines A and C.

(2) *Region 2.* Region 2 includes the area limited on the east by line B and on the west by line C.

(3) *Region 3.* Region 3 includes the area limited on the east by line C and on the west by line A, except any of the territory of Armenia, Azerbaijan, the Russian Federation, Georgia, Kazakhstan, Mongolia, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan, Turkey and Ukraine and the area to the north of the Russian Federation. It also includes that part of the territory of the Islamic Republic of Iran lying outside of those limits.

(4) The lines A, B and C are defined as follows:

(i) *Line A.* Line A extends from the North Pole along meridian 40° East of Greenwich to parallel 40° North; thence by great circle arc to the intersection of meridian 60° East and the Tropic of Cancer; thence along the meridian 60° East to the South Pole.

¹It should be noted that where the words “regions” or “regional” are without a capital “R,” they do not relate to the three Regions here defined for purposes of frequency allocation.