

## Federal Communications Commission

## § 24.404

If a building within a cell or cell subdivision lies within the main beam of a co-channel microwave antenna, there is no intervening terrain obstructions, and the cumulative power of 5 percent or fewer of the portables, assuming free space propagation, would be 3 dB or less below the interference threshold, interference will be assumed to exist unless the PCS licensee can demonstrate otherwise by specific path loss calculations based on terrain and building losses.

### REFERENCES:

1. Longley, A.G. and Rice, P.L., "Prediction of Tropospheric Radio Transmission Loss Over Irregular Terrain, A Computer Method-1968", ESSA Technical Report ERL 79-ITS 67, Institute for Telecommunications Sciences, July 1968.
2. Rice, P.L. Longley, A.G., Norton, K.A., Barsis, A.P., "Transmission Loss Predictions for Tropospheric Communications Circuits," NBS Technical Note 101 (Revised), Volumes I and II, U.S. Department of Commerce, 1967.
3. Hufford, G.A., Longley, A.G. and Kissick, W.A., "A Guide to the use of the ITS Irregular Terrain Model in the Area Prediction Mode", NTIA Report 82-100, U.S. Department of Commerce, April 1982. Also, Circular letter, dated January 30, 1985, from G.A. Hufford, identifying modifications to the computer program.
4. Hufford, G.A., Memorandum to Users of the ITS Irregular Terrain Model, Institute for Telecommunications Sciences, U.S. Department of Commerce, January 30, 1985.

### Subpart F—Competitive Bidding Procedures for Narrowband PCS

SOURCE: 59 FR 26747, May 24, 1994, unless otherwise noted.

#### § 24.301 Narrowband PCS subject to competitive bidding.

Mutually exclusive initial applications for narrowband PCS service licenses are subject to competitive bidding. The general competitive bidding procedures set forth in part 1, subpart Q of this chapter will apply unless otherwise provided in this subpart.

[67 FR 45367, July 9, 2002]

#### §§ 24.302–24.309 [Reserved]

#### § 24.320 [Reserved]

#### § 24.321 Designated entities.

(a) *Eligibility for small business provisions.* (1) A small business is an entity that, together with its controlling in-

terests and affiliates, has average gross revenues not exceeding \$ 40 million for the preceding three years.

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

(b) *Bidding credits.* After August 7, 2000, 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.

(c) *Installment payments.* Small businesses that are winning bidders on any regional license prior to August 7, 2000 will be eligible to pay the full amount of their winning bids in installments over the term of the license pursuant to the terms set forth in §1.2110(g) of this chapter.

[67 FR 45367, July 9, 2002, as amended at 68 FR 42998, July 21, 2003]

### Subpart G—Interim Application, Licensing and Processing Rules for Narrowband PCS

SOURCE: 59 FR 26749, May 24, 1994, unless otherwise noted.

#### § 24.403 Authorization required.

No person shall use or operate any device for the transmission of energy or communications by radio in the services authorized by this part except as provided in this part.

#### § 24.404 Eligibility.

(a) *General.* Authorizations will be granted upon proper application if:

(1) The applicant is qualified under the applicable laws and the regulations, policies and decisions issued under the laws, including §24.12;

(2) There are frequencies available to provide satisfactory service; and

(3) The public interest, convenience or necessity would be served by a grant.