

## § 74.797

purpose, the ERP must be expressed in decibels above one kilowatt:  $ERP(dBk) = 10 \log ERP(kW)$ ;

(4) Convert the ERP calculated in the previous step to units of kilowatts; and

(5) The ERP value determined through the above procedure will produce equivalent compliance with the attenuation requirement of the simple emission mask at the channel edges and should be specified as the digital ERP in the minor change application for an on-channel digital conversion. The transmitter may not be operated to produce a higher digital ERP than this value.

[69 FR 69336, Nov. 29, 2004]

### § 74.797 Biennial Ownership Reports.

The Ownership Report FCC Form 323 must be electronically filed no later than November 1, 2009, and every two years thereafter by each licensee of a low power television station or Respondent (as defined in § 73.3615(a) of this chapter). Beginning with the 2011 filing, a licensee or Respondent with a current and unamended Report on file at the Commission may certify electronically that it has reviewed its current Report and that it is accurate, in lieu of filing a new Report. Ownership Reports shall provide information as of October 1 of the year in which the report is filed. For information on filing requirements, filers should refer to § 73.3615(a) of this chapter.

[74 FR 25168, May 27, 2009]

### § 74.798 Digital television transition notices by broadcasters.

(a) Each low power television, TV translator and Class A television station licensee or permittee must air an educational campaign about the transition from analog broadcasting to digital television (DTV).

(b) Stations that have already terminated analog service and begun operating in digital prior to effective date of this rule shall not be subject to this requirement.

(c) Stations with the technical ability to locally-originate programming must air viewer notifications at a time when the highest number of viewers is watching. Stations have the discretion as to the form of these notifications.

## 47 CFR Ch. I (10–1–14 Edition)

(d) Stations that lack the technical ability to locally-originate programming, or find that airing of viewer notifications would pose some sort of a hardship, may notify their viewers by some other reasonable means, e.g. publication of a notification in a local newspaper. Stations have discretion as to the format and time-frame of such local notification.

[76 FR 44829, July 27, 2011]

## Subpart H—Low Power Auxiliary Stations

### § 74.801 Definitions.

*Cable television system operator.* A cable television operator is defined in § 76.5(cc) of the rules.

*Large venue owner or operator.* Large venue owner or operator refers to a person or organization that owns or operates a venue that routinely uses 50 or more low power auxiliary station devices, where the use of such devices is an integral part of major events or productions. Routinely using 50 or more low power auxiliary station devices means that the venue owner or operator uses 50 or more such devices for most events or productions.

*Low power auxiliary station.* An auxiliary station authorized and operated pursuant to the provisions set forth in this subpart. Devices authorized as low power auxiliary stations are intended to transmit over distances of approximately 100 meters for uses such as wireless microphones, cue and control communications, and synchronization of TV camera signals.

*Motion picture producer.* Motion picture producer refers to a person or organization engaged in the production or filming of motion pictures.

*Professional sound company.* Professional sound company refers to a person or organization that provides audio services that routinely use 50 or more low power auxiliary station devices, where the use of such devices is an integral part of major events or productions. Routinely using 50 or more low power auxiliary station devices means that the professional sound company uses 50 or more such devices for most events or productions.

*Television program producer.* Television program producer refers to a person or organization engaged in the production of television programs.

*Wireless assist video device.* An auxiliary station authorized and operated by motion picture and television program producers pursuant to the provisions of this subpart. These stations are intended to transmit over distances of approximately 300 meters for use as an aid in composing camera shots on motion picture and television sets.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[42 FR 14729, Mar. 16, 1977, as amended at 43 FR 14662, Apr. 7, 1978; 51 FR 4603, Feb. 6, 1986; 51 FR 9966, Mar. 24, 1986; 54 FR 41842, Oct. 12, 1989; 68 FR 12772, Mar. 17, 2003; 79 FR 40689, July 14, 2014]

#### § 74.802 Frequency assignment.

(a) Frequencies within the following bands may be assigned for use by low power auxiliary stations:

26.100–26.480 MHz  
 54.000–72.000 MHz  
 76.000–88.000 MHz  
 161.625–161.775 MHz (except in Puerto Rico or the Virgin Islands)  
 174.000–216.000 MHz  
 450.000–451.000 MHz  
 455.000–456.000 MHz  
 470.000–488.000 MHz  
 488.000–494.000 MHz (except Hawaii)  
 494.000–608.000 MHz  
 614.000–698.000 MHz  
 944.000–952.000 MHz

(b) Operations in the bands allocated for TV broadcasting, listed below, are limited to locations removed from existing co-channel TV broadcast stations by not less than the following distances unless otherwise authorized by the FCC. (See § 73.609 for zone definitions.)

(1) 54.000–72.000 MHz and 76.000–88.000 MHz:

Zone I 105 km (65 miles)  
 Zones II and III 129 km (80 miles)

(2) 174.000–216.000 MHz

Zone I 97 km (60 miles)  
 Zones II and III 129 km (80 miles)

(3) 470.000–608.000 MHz and 614.000–698.000 MHz.

All zones 113 km (70 miles)

(c) Specific frequency operation is required when operating within the bands allocated for TV broadcasting.

(1) The frequency selection shall be offset from the upper or lower band limits by 25 kHz or an integral multiple thereof.

(2) One or more adjacent 25 kHz segments within the assignable frequencies may be combined to form a channel whose maximum bandwidth shall not exceed 200 kHz.

(d) Low power auxiliary licensees will not be granted exclusive frequency assignments.

(e) *Clearing mechanisms for the 700 MHz Band.* This section sets forth provisions relating to the transition of low power auxiliary stations operating at 698–806 MHz (700 MHz band).

(1) Any low power auxiliary station that operates at frequencies in the 700 MHz band while transitioning its operations out of that band must not cause harmful interference and must accept interference from any commercial or public safety wireless licensees in the 700 MHz band.

(2) Any low power auxiliary station that operates at frequencies in the 700 MHz band will have until no later than June 12, 2010 to transition its operations completely out of the 700 MHz band, subject to the following. During this transition period, any commercial or public safety licensee in the 700 MHz band may choose one or both of the following voluntary methods to notify low power auxiliary stations:

(i) Any commercial or public safety licensee in the 700 MHz band may notify the Commission that it has initiated or will be initiating operations on specified frequencies in a particular market(s) in the 700 MHz band. The wireless operations initiated by the commercial or public safety 700 MHz licensees may include system testing or trials. Following receipt of the notification, the Commission will issue a public notice providing that operators of low power auxiliary stations, including wireless microphones, in the 700 MHz band in those market(s) will be required to cease operations within 60 days after the Commission's notice is released.