

Federal Communications Commission

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this section. Such base and mobile channels shall not be operated on board aircraft in flight.

(iii) Frequency protection must be provided to other stations in accordance with the following guidelines for each channel and for each area and adjacent area:

(A) Protect coast stations licensed prior to July 6, 1998, by the required separations shown in Table C below.

(B) Protect stations described in paragraph (g)(2)(i) of this section, by frequency coordination in accordance § 90.175 of this part.

(C) Protect public safety stations granted under paragraph (g) of this section by frequency coordination in accordance with § 90.175 of this part.

(D) *Where the Public safety designated channel is not a Public safety designated channel in an adjacent VPCSA:* Applicants shall engineer base stations such that the maximum signal strength at the boundary of the adjacent VPCSA does not exceed 5dBuV/m.

(iv) The following table, along with the antenna height (HAAT) and power (ERP), must be used to determine the minimum separation required between proposed base stations and co-channel public coast stations licensed prior to July 6, 1998 under part 80 of this chapter. Applicants whose exact ERP or HAAT are not reflected in the table must use the next highest figure shown.

TABLE C—REQUIRED SEPARATION IN KILOMETERS (MILES) OF BASE STATION FROM PUBLIC COAST STATIONS

Base Station Characteristics					
HAAT	ERP (watts)				
Meters (feet)	400	300	200	100	50
15 (50)	138 (86)	135 (84)	129 (80)	129 (80)	116 (72)
30 (100)	154 (96)	151 (94)	145 (90)	137 (85)	130 (81)
61 (200)	166 (103)	167 (104)	161 (100)	153 (95)	145 (90)
122 (400)	187 (116)	177 (110)	183 (114)	169 (105)	159 (99)

(v) In the event of interference, the Commission may require, without a hearing, licensees of base stations authorized under this section that are located within 241 kilometers (150 miles) of a co-channel public coast, I/LT, or grandfathered public safety station licensed prior to July 6, 1998, or an international border, to reduce power, decrease antenna height, and/or install directional antennas.

Mobile stations must be operated only within radio range of their associated base station.

(vi) Applicants seeking to be licensed for stations exceeding the power/antenna height limits of the table in paragraph (g)(3)(iv) of this section must request a waiver of that paragraph and must submit with their application an interference analysis, based upon an appropriate, generally-accepted terrain-based propagation model, that shows that co-channel protected entities, described in paragraph (g)(3)(iii) of this section, would receive the same or greater interference protection

than the relevant criteria outlined in paragraph (g)(3)(iii) of this section.

(h) *Spectrum leasing arrangements.* Notwithstanding any other provisions of this section to the contrary, licensees in the Public Safety Radio Services (*see* part 90, subpart B) may enter into spectrum leasing arrangements (*see* part 1, subpart X of this chapter) with entities providing communications in support of public safety operations.

[62 FR 18845, Apr. 17, 1997]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 90.20, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 90.22 Paging operations.

Unless specified elsewhere in this part, paging operations may be authorized in the Public Safety Pool on any frequency except those assigned under the provisions of § 90.20(d)(78). Paging operations on frequencies subject to § 90.20(d)(78) authorized before August

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17, 1974, may be continued only if they do not cause harmful interference to regular operations on the same frequencies. Such paging operations may be renewed indefinitely on a secondary basis to regular operations, except within 125 km (75 mi) of the following urbanized areas:

Urbanized area	North latitude	West longitude
New York, NY-Northeastern NJ	40-45-06.4	73-59-37.5
Los Angeles-Long Beach, CA	34-03-15.0	118-14-31.3
Chicago, IL	41-52-28.1	87-38-22.2
Philadelphia, PA-NJ	39-56-58.4	75-09-19.6
Detroit, MI	42-19-48.1	83-02-56.7
San Francisco-Oakland, CA	37-46-38.7	122-24-43.9
Boston, MA	42-21-24.4	71-03-23.2
Washington, DC-MD-VA	38-53-51.4	77-00-31.9
Cleveland, OH	41-29-51.2	81-41-49.5
St Louis, MO-IL	38-37-45.2	90-12-22.4
Pittsburgh, PA	40-26-19.2	79-59-59.2
Minneapolis-St Paul, MN	44-58-56.9	93-15-43.8
Houston, TX	29-45-26.8	95-21-37.8
Baltimore, MD	39-17-26.4	76-36-43.9
Dallas, TX	32-47-09.5	96-47-38.0
Milwaukee, WI	43-02-19.0	87-54-15.3
Seattle-Everett, WA	47-36-31.4	122-20-16.5
Miami, FL	25-46-38.4	80-11-31.2
San Diego, CA	32-42-53.2	117-09-24.1
Atlanta, GA	33-45-10.4	84-23-36.7
Cincinnati, OH-KY	39-06-7.2	84-30-34.8
Kansas City, MO-KS	39-04-56.0	94-35-20.8
Buffalo, NY	42-52-52.2	78-52-20.1
Denver, CO	39-44-58.0	104-59-23.9

[63 FR 68959, Dec. 14, 1998, as amended at 64 FR 36262, July 6, 1999; 65 FR 60874, Oct. 13, 2000]

Subpart C—Industrial/Business Radio Pool

SOURCE: 62 FR 18874, Apr. 17, 1997, unless otherwise noted.

§ 90.31 Scope.

The Industrial/Business Radio Pool covers the licensing of the radio communications of entities engaged in commercial activities, engaged in clergy activities, operating educational, philanthropic, or ecclesiastical institutions, or operating hospitals, clinics, or medical associations. Rules as to eligibility for licensing, frequencies available, permissible communications and classes and number of stations, and any special requirements are set forth in the following sections.

§ 90.33 General eligibility.

(a) In addition to the eligibility shown in the Industrial/Business Pool, eligibility is also provided for any corporation proposing to furnish nonprofit radiocommunication service to its parent corporation, to another subsidiary of the same parent, or to its own subsidiary. This corporate eligibility is not subject to the cooperative use provision of § 90.179.

(b) Eligibility is also provided for a nonprofit corporation or association that is organized for the purpose of furnishing a radiocommunications service to persons who meet the eligibility requirements of the Industrial/Business Pool. Such use is subject to the cooperative use provisions of § 90.179.

§ 90.35 Industrial/Business Pool.

(a) *Eligibility.* Persons primarily engaged in any of the following activities are eligible to hold authorizations in the Industrial/Business Pool to provide commercial mobile radio service as defined in part 20 of this chapter or to operate stations for transmission of communications necessary to such activities of the licensee:

(1) The operation of a commercial activity;

(2) The operation of educational, philanthropic, or ecclesiastical institutions;

(3) Clergy activities; or

(4) The operation of hospitals, clinics, or medical associations.

(5) Public Safety Pool eligibles are eligible for Industrial/Business Pool spectrum only to the extent that they are engaged in activities listed in paragraphs (a)(1) through (4) of this section. Industrial/Business Pool spectrum may not be utilized for the purposes set forth in § 90.20(a).

(b) *Industrial/Business Pool frequencies.*

(1) The following table indicates frequencies available for assignment to Industrial/Business Pool stations, together with the class of station(s) to which they are normally assigned, the specific assignment limitations which are explained in paragraph (b) of this section, and the certified frequency coordinator for each frequency:

(2) Unless otherwise specified, coordination of frequencies in the Industrial/