

## Federal Communications Commission

§ 95.805

purpose of performing diagnostic or therapeutic functions.

*Medical body-worn transmitter.* A MedRadio transmitter intended to be placed on or in close proximity to the human body (e.g., within a few centimeters) used to facilitate communications with other medical communications devices for purposes of delivering medical therapy to a patient or collecting medical diagnostic information from a patient.

*Medical implant device.* Apparatus that is placed inside the human body for the purpose of performing diagnostic or therapeutic functions.

*Medical implant event.* An occurrence or the lack of an occurrence recognized by a medical implant device, or a duly authorized health care professional, that requires the transmission of data from a medical implant transmitter in order to protect the safety or well-being of the person in whom the medical implant transmitter has been implanted.

*Medical implant transmitter.* A MedRadio transmitter in which both the antenna and transmitter device are designed to operate within a human body for the purpose of facilitating communications from a medical implant device.

*Medical Micropower Network (MMN).* An ultra-low power wideband network consisting of a MedRadio programmer/control transmitter and medical implant transmitters, all of which transmit or receive non-voice data or related device control commands for the purpose of facilitating functional electric stimulation, a technique using electric currents to activate and monitor nerves and muscles.

*MedRadio programmer/control transmitter.* A MedRadio transmitter that operates or is designed to operate outside of a human body for the purpose of communicating with a receiver, or for triggering a transmitter, connected to a medical implant device or to a medical body-worn device used in the MedRadio Service; and which also typically includes a frequency monitoring system that initiates a MedRadio communications session.

*MedRadio Service.* Medical Device Radiocommunication Service.

*MedRadio transmitter.* A transmitter authorized to operate in the MedRadio service.

*MURS.* Multi-Use Radio Service.

*Peak envelope power.* TP averaged during one RF cycle at the highest crest of the modulation envelope.

*R/C.* Radio Control Radio Service.

*R/C transmitter.* A transmitter that operates or is intended to operate at a station authorized in the R/C.

*RF.* Radio frequency.

*TP.* RF transmitter power expressed in W, either mean or peak envelope, as measured at the transmitter output antenna terminals.

*Transmitter.* Apparatus that converts electrical energy received from a source into RF energy capable of being radiated.

W. Watts.

[65 FR 60878, Oct. 13, 2000, as amended at 74 FR 22708, May 14, 2009; 77 FR 4269, Jan. 27, 2012; 77 FR 55733, Sept. 11, 2012]

## Subpart F—218–219 MHz Service

### GENERAL PROVISIONS

SOURCE: 57 FR 8275, Mar. 9, 1992, unless otherwise noted.

#### § 95.801 Scope.

This subpart sets out the regulations governing the licensing and operation of a 218–219 MHz system. This subpart supplements part 1, subpart F of this chapter, which establishes the requirements and conditions under which commercial and private radio stations may be licensed and used in the Wireless Telecommunications Services. The provisions of this subpart contain additional pertinent information for current and prospective licensees specific to the services governed by this part 95.

[64 FR 59659, Nov. 3, 1999]

#### § 95.803 218–219MHz Service description.

(a) The 218–219 MHz Service is authorized for system licensees to provide communication service to subscribers in a specific service area.

(b) The components of each 218–219 MHz Service system are its administrative apparatus, its response transmitter units (RTUs), and one or more cell transmitter stations (CTSs). RTUs may be used in any location within the service area. CTSs provide service from a fixed point, and certain CTSs must be individually licensed as part of a 218–219 MHz Service system. See § 95.811.

(c) Each 218–219 MHz Service system service area is one of the cellular system service areas as defined by the Commission, unless modified pursuant to § 95.823.

[66 FR 9218, Apr. 9, 2001]

#### § 95.805 Permissible communications.

A 218–219 MHz Service system may provide any fixed or mobile communications service to subscribers within

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its service area on its assigned spectrum, consistent with the Commission's rules and the regulatory status of the system to provide services on a common carrier or private basis.

[64 FR 59660, Nov. 3, 1999]

### § 95.807 Requesting regulatory status.

(a) Authorizations for systems in the 218–219 MHz Service will be granted to provide services on a common carrier basis or a private (non-common carrier and/or private internal-use) basis.

(1) *Initial applications.* An applicant will specify on FCC Form 601 if it is requesting authorizations to provide services on a common carrier, non-common carrier or private internal-use basis, of a combination thereof.

(2) *Amendment of pending applications.* Any pending application may be amended to:

(i) Change the carrier status requested; or

(ii) Add to the pending request in order to obtain both common carrier and private status in a single license.

(3) *Modification of license.* A licensee may modify a license to:

(i) Change the carrier status authorized; or

(ii) Add to the status authorized in order to obtain both common carrier and private status in a single license. Applications to change, or add to, carrier status in a license must be submitted on FCC Form 601 in accordance with § 1.1102 of this chapter.

(4) *Pre-existing licenses.* Licenses granted before April 9, 2001, are authorized to provide services on a private (non-common carrier) basis. Licensees may modify this initial status pursuant to paragraph (a)(3) of this section.

(b) An applicant or licensee may submit a petition at any time requesting clarification of the regulatory status required to provide a specific communications service.

[64 FR 59660, Nov. 3, 1999, as amended at 66 FR 9219, Feb. 7, 2001]

#### SYSTEM LICENSE REQUIREMENTS

### § 95.811 License requirements.

(a) Each 218–219 MHz Service system must be licensed in accordance with part 1, subpart F of this chapter.

(b) Each CTS where the antenna does not exceed 6.1 meters (20 feet) above ground or an existing structure (other than an antenna structure) and is outside the vicinity of certain receiving locations (see § 1.924 of this chapter) is authorized under the 218–219 MHz System license. All other CTS must be individually licensed.

(c) All CTSs not meeting the licensing criteria under paragraph (b) of this section are authorized under the 218–219 MHz Service system license.

(d) Each component RTU in a 218–219 MHz Service system is authorized under the system license or if associated with an individually licensed CTS, under that CTS license.

(e) Each CTS (regardless of whether it is individually licensed) and each RTU must be in compliance with the Commission's environmental rules (see part 1, subpart I of this chapter) and the Commission's rules pertaining to the construction, marking and lighting of antenna structures (see part 17 of this chapter).

[57 FR 8275, Mar. 9, 1992, as amended at 57 FR 36373, Aug. 13, 1992; 63 FR 68977, Dec. 14, 1998; 64 FR 59660, Nov. 3, 1999; 66 FR 9219, Feb. 7, 2001]

### § 95.812 License term.

(a) The term of each 218–219 MHz service system license is ten years from the date of original grant or renewal.

(b) Licenses for individually licensed CTSs will be issued for a period running concurrently with the license of the associated 218–219 MHz Service system with which it is licensed.

[64 FR 59660, Nov. 3, 1999, as amended at 66 FR 9219, Feb. 7, 2001]

### § 95.813 Eligibility.

(a) An entity is eligible to hold a 218–219 MHz Service system license and its associated individual CTS licenses if:

(1) The entity is an individual who is not a representative of a foreign government; or

(2) The entity is a partnership and no partner is a representative of a foreign government; or

(3) The entity is a corporation organized under the laws of the United States of America; or