

## § 22.955

(3) *Exhibit III—Technical Information.* In addition, upon request by an applicant, licensee, or the FCC, a Cellular applicant or licensee of whom the request is made shall furnish the antenna type, model, the name of the antenna manufacturer, antenna gain in the maximum lobe, the beam width of the maximum lobe of the antenna, a polar plot of the horizontal gain pattern of the antenna, antenna height to tip above ground level, the height of the center of radiation of the antenna above the average terrain, the maximum effective radiated power, and the electric field polarization of the wave emitted by the antenna when installed as proposed to the requesting party within ten (10) days of receiving written notification.

(4)–(10) [Reserved]

(11) *Additional information.* The FCC may request information not specified in FCC Form 601 or in paragraphs (a)(1) through (a)(3) of this section as necessary to process an application.

(b) *Existing systems—major modifications.* Licensees making major modifications pursuant to §1.929(a) and (b) of this chapter must file FCC Form 601 and comply with the requirements of paragraph (a) of this section.

(c) *Existing systems—minor modifications.* Licensees making minor modifications pursuant to §1.929(k) of this chapter, must file FCC Form 601 or FCC Form 603. *See also* §22.169. If the modification involves a contract SAB extension into or from the Gulf of Mexico Exclusive Zone, it must include a certification that the required written consent has been obtained. *See* §22.912(c).

[79 FR 72152, Dec. 5, 2014]

## § 22.955 Canadian condition.

Pursuant to an agreement between the FCC and the Department of Communications in Canada, authorizations for cellular systems within 72 kilometers (45 miles) of the U.S.-Canadian border must have the following condition attached:

This authorization is subject to the condition that, in the event that cellular systems using the same channel block as granted herein are authorized in adjacent territory in Canada, coordination of any of your transmitter installations which are within 72 kilo-

## 47 CFR Ch. I (10–1–15 Edition)

meters (45 miles) of the U.S.-Canadian border shall be required to eliminate any harmful interference that might otherwise exist and to insure continuance of equal access to the channel block by both countries.

## § 22.957 Mexican condition.

Pursuant to an agreement between the United States and Mexico, FCC authorizations for cellular systems within 72 kilometers (45 miles) of the United States-Mexican border must have the following condition attached:

This authorization is subject to the condition that, in the event cellular systems using the same frequencies granted herein are authorized in adjacent territory in Mexico, coordination of your transmitter installations which are within 72 kilometers (45 miles) of the United States-Mexico border shall be required to eliminate any harmful interference that might otherwise exist and to ensure continuance of equal access to the frequencies by both countries. The operator of this system shall not contract with customers in Mexico, and further, users of the system must be advised that operation of a mobile unit in Mexico is not permitted at this time without the express permission of the Mexican government. The above conditions are subject to modification pending further notice from the FCC.

## § 22.959 Rules governing processing of applications for initial systems.

Pending applications for authority to operate the first cellular system on a channel block in an MSA or RSA market continue to be processed under the rules governing the processing of such applications that were in effect when those applications were filed, unless the Commission determines otherwise in a particular case.

## § 22.960 Cellular operations in the Chambers, TX CMA (CMA672–A).

This section applies only to Cellular systems operating on channel block A of the Chambers, Texas CMA (CMA672–A).

(a) The geographic boundary of CMA672–A is deemed to be the Cellular Geographic Service Area (CGSA) boundary. This CGSA boundary is not determined using the methodology of §22.911. The licensee of CMA672–A may not propose an expansion of this CGSA into another CMA unless and until it meets the construction requirement

set forth in paragraph (b)(2) of this section.

(b) A licensee that holds the license for CMA672-A must be providing signal coverage and offering service as follows (and in applying these geographic construction benchmarks, the licensee is to count total land area):

(1) To at least 35% of the geographic area of CMA672-A within four years of the grant of such authorization; and

(2) To at least 70% of the geographic area of its license authorization by the end of the license term.

(c) After it has met each of the requirements of paragraphs (b)(1) and (b)(2), respectively, of this section, the licensee that holds the license for CMA672-A must notify the FCC that it has met the requirement by submitting FCC Form 601, including GIS map files and other supporting documents showing compliance with the requirement. *See* §1.946 of this chapter. *See also* §22.953.

(d) Failure to meet the construction requirements set forth in paragraphs (b)(1) and (b)(2) of this section by each of the applicable deadlines will result in automatic termination of the license for CMA672-A and its return to the Commission for future re-licensing subject to competitive bidding procedures. The licensee that fails to meet each requirement of this section by the applicable deadline set forth in paragraphs (b)(1) and (b)(2) shall be ineligible to regain the license for CMA672-A.

[79 FR 72153, Dec. 5, 2014]

#### **§22.961 Cellular licenses subject to competitive bidding.**

(a) The following applications for Cellular licensed area authorizations are subject to competitive bidding:

(1) Mutually exclusive applications for Unserved Area filed after July 26, 1993; and

(2) Mutually exclusive applications for the initial authorization for CMA672-A (Chambers, TX).

(b) The competitive bidding procedures set forth in §22.229 and the general competitive bidding procedures set forth in subpart Q of part 1 of this chapter will apply.

[79 FR 72153, Dec. 5, 2014]

#### **§§ 22.962–22.969 [Reserved]**

#### **§22.970 Unacceptable interference to part 90 non-cellular 800 MHz licensees from cellular radiotelephone or part 90–800 MHz cellular systems.**

(a) *Definition.* Except as provided in 47 CFR 90.617(k), unacceptable interference to non-cellular part 90 licensees in the 800 MHz band from cellular radiotelephone or part 90–800 MHz cellular systems will be deemed to occur when the below conditions are met:

(1) A transceiver at a site at which interference is encountered:

(i) Is in good repair and operating condition, and is receiving:

(A) A median desired signal of  $-104$  dBm or higher, as measured at the R.F. input of the receiver of a mobile unit; or

(B) A median desired signal of  $-101$  dBm or higher, as measured at the R.F. input of the receiver of a portable *i.e.* hand-held unit; and, either

(ii) Is a voice transceiver:

(A) With manufacturer published performance specifications for the receiver section of the transceiver equal to, or exceeding, the minimum standards set out in paragraph (b) of this section, below; and;

(B) Receiving an undesired signal or signals which cause the measured Carrier to Noise plus interference (C/(I + N)) ratio of the receiver section of said transceiver to be less than 20 dB, or,

(iii) Is a non-voice transceiver receiving an undesired signal or signals which cause the measured bit error rate (BER) (or some comparable specification) of the receiver section of said transceiver to be more than the value reasonably designated by the manufacturer.

(2) Provided, however, that if the receiver section of the mobile or portable voice transceiver does not conform to the standards set out in paragraph (b) of this section, then that transceiver shall be deemed subject to unacceptable interference only at sites where the median desired signal satisfies the applicable threshold measured signal power in paragraph (a)(1)(i) of this section after an upward adjustment to account for the difference in receiver section performance. The upward adjustment shall be equal to the increase in