

§ 27.17 Discontinuance of service in the 600 MHz band and the 1695–1710 MHz, 1755–1780 MHz, 1915–1920 MHz, 1995–2000 MHz, 2000–2020 MHz, 2155–2180 MHz, and 2180–2200 MHz bands.

(a) *Termination of authorization.* A 600 MHz band authorization and an AWS authorization in the 1695–1710 MHz, 1755–1780 MHz, 1915–1920 MHz, 1995–2000 MHz, 2000–2020 MHz, 2155–2180 MHz, and 2180–2200 MHz bands will automatically terminate, without specific Commission action, if the licensee permanently discontinues service either during the initial license term or during any subsequent license term, as follows:

(1) After the interim buildout deadline as specified in § 27.14(r), (s), or (t) as applicable (where the licensee meets the Interim Buildout Requirement), or after the accelerated Final Buildout Requirement (where the licensee failed to meet the Interim Buildout Requirement).

(2) After the AWS-4 final buildout deadline as specified in § 27.14(q)(1) (where the licensee meets the AWS-4 interim buildout requirement), or after the accelerated final buildout deadline specified in § 27.14(q)(3) (where the licensee failed to meet its AWS-4 interim buildout requirement).

(b) For licensees with common carrier or non-common carrier regulatory status that hold 600 MHz band authorizations or AWS authorizations in the 1695–1710 MHz, 1755–1780 MHz, 1915–1920 MHz, 1995–2000 MHz, 2000–2020 MHz, 2155–2180 MHz, and 2180–2200 MHz bands, permanent discontinuance of service is defined as 180 consecutive days during which a licensee does not provide service to at least one subscriber that is not affiliated with, controlled by, or related to the licensee in the individual license area. For licensees with private, internal communications regulatory status that hold 600 MHz band authorizations or AWS authorizations in the 1695–1710 MHz, 1755–1780 MHz, 1915–1920 MHz, 1995–2000 MHz, 2000–2020 MHz, 2155–2180 MHz, and 2180–2200 MHz bands, permanent discontinuance of service is defined as 180 consecutive days during which a licensee does not operate.

(c) *Filing requirements.* A licensee that holds a 600 MHz band authorization or an AWS authorization in the 1695–1710 MHz, 1755–1780 MHz, 1915–1920 MHz, 1995–2000 MHz, 2000–2020 MHz, 2155–2180 MHz, and 2180–2200 MHz bands, that permanently discontinues service as defined in this section must notify the Commission of the discontinuance within 10 days by filing FCC Form 601 or 605 requesting license cancellation. An authorization will automatically terminate, without specific Commission action, if service is permanently discontinued as defined in this section, even if a licensee fails to file the required form requesting license cancellation.

[79 FR 32412, June 4, 2014, as amended at 79 FR 48538, Aug. 15, 2014]

§ 27.19 Requirements for operation of base and fixed stations in the 600 MHz downlink band in close proximity to Radio Astronomy Observatories.

(a) Licensees must make reasonable efforts to protect the radio astronomy observatory at Green Bank, WV, Arecibo, PR, and those identified in § 15.712(h)(3) of this chapter as part of the Very Long Baseline Array (VLBA) from interference.

(b) 600 MHz band base and fixed stations in the 600 MHz downlink band within 25 kilometers of VLBA observatories are subject to coordination with the National Science Foundation (NSF) prior to commencing operations. The appropriate NSF contact point to initiate coordination is Electromagnetic Spectrum Manager, NSF, 4201 Wilson Blvd., Suite 1045, Arlington, VA 22203, fax 703-292-9034, email esm@nsf.gov.

(c) Any licensee that intends to operate base and fixed stations in the 600 MHz downlink band in locations near the Radio Astronomy Observatory site located in Green Bank, Pocahontas County, West Virginia, or near the Arecibo Observatory in Puerto Rico, must comply with the provisions in § 1.924 of this chapter.

[79 FR 48538, Aug. 15, 2014]