

Federal Communications Commission

§ 78.21

Commission or modification of any authorization which will cause harmful interference.

(f) *17.7–19.7 GHz band.* The following exclusion areas and coordination areas are established to minimize or avoid harmful interference to Federal Government earth stations receiving in the 17.7–19.7 GHz band:

(1) No application seeking authority to operate in the 17.7–19.7 GHz band will be accepted for filing if the proposed station is located within 50 km of Denver, CO (39°43' N., 104°46' W.) or Washington, DC (38°48' N., 76°52' W.).

(2) Any application seeking authority for a new fixed station license supporting the operations of Multichannel Video Programming Distributors (MVPD) in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service, or for modification of an existing station license in these bands which would change the frequency, power, emission, modulation, polarization, antenna height or directivity, or location of such a station, must be coordinated with the Federal Government by the Commission before an authorization will be issued, if the station or proposed station is located in whole or in part within any of the following areas:

(i) *Denver, CO area:*

(A) Between latitudes 41°30' N. and 38°30' N. and between longitudes 103°10' W. and 106°30' W.

(B) Between latitudes 38°30' N. and 37°30' N. and between longitudes 105°00' W. and 105°50' W.

(C) Between latitudes 40°08' N. and 39°56' N. and between longitudes 107°00' W. and 107°15' W.

(ii) *Washington, DC area:*

(A) Between latitudes 38°40' N. and 38°10' N. and between longitudes 78°50' W. and 79°20' W.

(B) Within 178 km of 38°48' N., 76°52' W.

(iii) *San Miguel, CA area:*

(A) Between latitudes 34°39' N. and 34°00' N. and between longitudes 118°52' W. and 119°24' W.

(B) Within 200 km of 35°44' N., 120°45' W.

(iv) *Guam area:* Within 100 km of 13°35' N., 144°51' E.

NOTE TO §78.19(f): The coordinates cited in this section are specified in terms of the “North American Datum of 1983 (NAD 83).

[37 FR 3292, Feb. 12, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 78.19, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 78.20 Acceptance of applications; public notice.

(a) Applications which are tendered for filing are dated upon receipt and then forwarded to the Media Bureau where an examination is made to ascertain whether the applications are complete. Applications found to be complete or substantially complete, are accepted for filing and are given a file number. In case of minor defects as to completeness, the applicant will be required to supply the missing information. Applications which are not substantially complete will be returned to the applicant. Applications requiring fees as set forth at part 1, subpart G, of this chapter must be filed in accordance with § 0.401(b) of this chapter.

(b) Acceptance of an application for filing means only that it has been the subject of a preliminary review by the Commission's administrative staff as to completeness. Applications which are determined to be clearly not in accordance with the Commission's rules or other requirements, unless accompanied by an appropriate request for waiver, will be considered defective and will not be accepted for filing, or if inadvertently accepted for filing, will be dismissed. Requests for waiver shall show the nature of the waiver or exception desired and shall set forth the reasons in support thereof.

(c) The Commission will give public notice of all applications and major amendments thereto which have been accepted for filing. No application shall be acted on less than thirty (30) days from the date of public notice.

[37 FR 15926, Aug. 8, 1972, as amended at 52 FR 10231, Mar. 31, 1987; 67 FR 13235, Mar. 21, 2002; 68 FR 27004, May 19, 2003]

§ 78.21 Dismissal of applications.

(a) Any application may, on request of the applicant, be dismissed without prejudice as a matter of right prior to