

**Subpart S—Regulations Governing
Licensing and Use of Fre-
quencies in the 806–824, 851–
869, 896–901, and 935–940
MHz Bands**

§ 90.601 Scope.

This subpart sets out the regulations governing the licensing and operations of all systems operating in the 806–824/851–869 MHz and 896–901/935–940 MHz bands. It includes eligibility requirements, and operational and technical standards for stations licensed in these bands. It also supplements the rules regarding application procedures contained in part 1, subpart F of this chapter. The rules in this subpart are to be read in conjunction with the applicable requirements contained elsewhere in this part; however, in case of conflict, the provisions of this subpart shall govern with respect to licensing and operation in these frequency bands.

[63 FR 68967, Dec. 14, 1998]

APPLICATION FOR AUTHORIZATIONS

§ 90.603 Eligibility.

The following persons are eligible for licensing in the 806–824 MHz, 851–869 MHz, 896–901 MHz, and 935–940 MHz Bands.

(a) Any person eligible for licensing under subparts B, C, D, or E of this part.

(b) Any person proposing to provide communications service to any person eligible for licensing under subparts B or C of this part on a not-for-profit, cost-shared basis.

(c) Any person eligible under this part and proposing to provide on a commercial basis base station ancillary facilities as a Specialized Mobile Radio Service System operator, for the use of individuals, federal government agencies and persons eligible for licensing under subparts B or C of this part.

[47 FR 41032, Sept. 16, 1982, as amended at 53 FR 1025, Jan. 15, 1988; 60 FR 15495, Mar. 24, 1995; 62 FR 18934, Apr. 17, 1997]

§ 90.605 Forms to be used.

Applications for conventional and trunked radio facilities must be prepared on FCC Form 601 and must be submitted or filed in accordance with

§ 90.127 and part 1, subpart F of this chapter.

[63 FR 68967, Dec. 14, 1998]

§ 90.607 Supplemental information to be furnished by applicants for facilities under this subpart.

(a) Except for applicants for SMR licenses, all applicants for conventional radio systems must:

(1) List all radio systems licensed to them or proposed by them within 64 km (40 mi.) from the location of the base station transmitter site of the facility for which they have applied.

(2) Specify the number of mobile units to be placed in operation upon grant of the authorization and the number of such units that will be placed in operation within 8 months of the date of grant.

(b) Except for applicants for SMR licenses, all applicants for trunked systems must:

(1) List all radio systems licensed to them within 64 km (40 mi.) from the location of the base station transmitter site of the facility for which they have applied;

(2) Specify the number of vehicular and portable mobile units and control stations to be placed in operation within the term of the license.

(c) [Reserved]

(d) All applicants for frequencies governed by this subpart are subject to the frequency coordination requirements of § 90.175(b) except applicants requesting frequencies for EA-based SMR operations in the 806–824 MHz/851–869 MHz band or 896–901 MHz/935–940 MHz band.

[47 FR 41032, Sept. 16, 1982, as amended at 49 FR 36377, Sept. 17, 1984; 51 FR 14999, Apr. 22, 1986; 59 FR 59966, Nov. 21, 1994; 63 FR 68967, Dec. 14, 1998; 69 FR 67838, Nov. 22, 2004; 70 FR 61061, Oct. 20, 2005]

§ 90.609 Special limitations on amendment of applications for assignment or transfer of authorizations for radio systems above 800 MHz.

(a) [Reserved]

(b) A license to operate a conventional or trunked radio system may not be assigned or transferred prior to the completion of construction of the facility. However, the Commission may give its consent to the assignment or transfer of control of such a license