

those authorized by the Commission, applied for and pending before the Commission, or otherwise the subject of an ITU filing and either in orbit or progressing towards launch.

(2) Repositioning one or more antenna beams by no more than 0.3 angular degrees from a line between the space station and the initially authorized boresight location(s).

[56 FR 24016, May 28, 1991, as amended at 61 FR 9952, Mar. 12, 1996; 62 FR 5928, Feb. 10, 1997; 68 FR 33649, June 5, 2003; 68 FR 47858, Aug. 12, 2003; 68 FR 51503, Aug. 27, 2003; 68 FR 62248, Nov. 3, 2003; 68 FR 63998, Nov. 12, 2003; 69 FR 47794, Aug. 6, 2004; 70 FR 32253, June 2, 2005; 72 FR 60279, Oct. 24, 2007; 78 FR 8421, Feb. 6, 2013; 81 FR 55328, Aug. 18, 2016]

**§ 25.118 Modifications not requiring prior authorization.**

(a) *Earth station modifications, notification required.* Earth station licensees may make the following modifications without prior Commission authorization, provided they notify the Commission, using FCC Form 312 and Schedule B, within 30 days of the modification. The notification must be filed electronically through the International Bureau Filing System (IBFS) in accordance with the applicable provisions of part 1, subpart Y of this chapter.

(1) Blanket-licensed earth station operators may add remote terminals operating on a primary basis without prior authorization, provided they have complied with all applicable frequency coordination procedures in accordance with § 25.251.

(2) A licensee providing service on a private carrier basis may change its operations to common carrier status without obtaining prior Commission authorization. The licensee must notify the Commission using FCC Form 312 within 30 days after the completed change to common carrier status.

(3) An earth station operator may change a point of communication without prior authorization, provided the operator does not repoint the earth station's antenna beyond any coordinated range; and

(i) The change results from a space station relocation described in paragraph (e) of this section, or

(ii) The new point of communication is a replacement GSO space station within  $\pm 0.15^\circ$  of orbital longitude of the

same location, with authority to serve the U.S., and the change does not entail any increase in the earth station's EIRP or EIRP density.

(4) Licensees may make other changes to their authorized earth stations without prior authority from the Commission, provided the modification does not involve:

(i) An increase in EIRP or EIRP density (either main lobe or off-axis);

(ii) Additional operating frequencies;

(iii) A change in polarization;

(iv) An increase in antenna height;

(v) Antenna repointing beyond any coordinated range or

(vi) A change from the originally authorized coordinates of more than 1 second in latitude or longitude for stations operating in frequency bands shared with terrestrial systems or more than 10 seconds of latitude or longitude for stations operating in frequency bands not shared with terrestrial systems.

(b) *Earth station modifications, notification not required.* Notwithstanding paragraph (a) of this section, equipment in an authorized earth station may be replaced without prior authorization and without notifying the Commission if the new equipment is electrically identical to the existing equipment.

(c)–(d) [Reserved]

(e) *Relocation of GSO space stations.* A space station licensee may relocate a GSO space station without prior authorization, but upon 30 days prior notice to the Commission and any potentially affected licensed spectrum user, provided that the operator meets the following requirements. The notification must be filed electronically on FCC Form 312 through the International Bureau Filing System (IBFS) in accordance with the applicable provisions of part 1, subpart Y of this chapter:

(1) The space station will be relocated to a position within  $\pm 0.15^\circ$  of an orbital location assigned to the same licensee.

(2) The licensee certifies that the space station will operate after the relocation within the technical parameters authorized and coordinated for the space station previously assigned to that location.

(3) The licensee certifies that it will comply with all the conditions of its license for operation at the changed location.

(4) The licensee certifies that it will limit operations of the space station to tracking, telemetry, and command functions during the relocation and satellite drift transition period.

(5) The licensee certifies that:

(i) It has assessed and limited the probability of the satellite becoming a source of debris as a result of collisions with large debris or other operational satellites at the new orbital location; and

(ii) The proposed station-keeping volume of the satellite following relocation will not overlap a station-keeping volume reasonably expected to be occupied by any other satellite, including those authorized by the Commission, applied for and pending before the Commission, or otherwise the subject of an ITU filing and either in orbit or progressing towards launch.

(6) The licensee certifies that the relocation will not result in a lapse of service for any current customer.

(7) If the space station to be relocated is a DBS space station, the licensee certifies that there will be no increase in interference due to the operations of the relocated space station that would require the Commission to submit a proposed modification to the ITU Appendix 30 Broadcasting-Satellite Service Plan and/or the Appendix 30A feeder-link Plan (both incorporated by reference, *see* §25.108) to the ITU Radiocommunication Bureau. A DBS licensee that meets this certification requirement is not subject to the requirements in paragraph (e)(2) of this section.

(8) If the space station to be relocated is a DBS space station, the licensee certifies that it will meet the geographic service requirements in §25.148(c) after the relocation.

(f) *Repositioning of NGSO space stations.* A licensee may reposition NGSO space stations within an authorized orbital plane without prior Commission approval, provided the licensee notifies the Commission of the repositioning 10 days in advance by electronic filing on Form 312 in the International Bureau Filing System. The notification must

specify all changes in previously authorized parameters and must certify the following:

(1) The licensee will continue to comply with the conditions of the space station license and all applicable Commission rules, including geographic coverage requirements, after the repositioning;

(2) The repositioning will not increase risk of harmful interference to other systems not permitted by coordination agreements;

(3) The licensee will not request increased interference protection because of the repositioning;

(4) The licensee will monitor collision risk during the maneuver and take any necessary evasive measures.

(5) Any change of orbital altitude entailed by the repositioning will not exceed 10 kilometers in extent or 30 days in duration and the licensee has notified, or will notify, the operator(s) of any satellite within 20 kilometers of the interim orbit at least 10 days before commencing the repositioning maneuver.

[62 FR 5928, Feb. 10, 1997, as amended at 68 FR 62248, Nov. 3, 2003; 68 FR 63999, Nov. 12, 2003; 69 FR 47794, Aug. 6, 2004; 70 FR 32253, June 2, 2005; 79 FR 8317, Feb. 12, 2014; 81 FR 55329, Aug. 18, 2016]

#### §25.119 Assignment or transfer of control of station authorization.

(a) You must file an application for Commission authorization before you can transfer, assign, dispose of (voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation or any other entity) your construction permit or station license, or accompanying rights, except as provided in paragraph (h) of this section. The Commission will grant your application only if it finds that doing so will serve the public interest, convenience, and necessity.

(b) For purposes of this section, transfers of control requiring Commission approval shall include any and all transactions that:

(1) Change the party controlling the affairs of the licensee, or

(2) Effect any change in a controlling interest in the ownership of the licensee, including changes in legal or equitable ownership.