

grant of one or more other applications.

(b) A license application for NGSO-like satellite operation, as defined in § 25.157(a), will be entitled to comparative consideration with one or more mutually exclusive applications only if the application is received by the Commission in a condition acceptable for filing by the “cut-off” date specified in a public notice.

(c) A license application for GSO-like satellite operation, as defined in § 25.158(a)(1), will be entitled to comparative consideration with another application only if:

(1) The application is mutually exclusive with another application for GSO-like operation; and

(2) The application is received by the Commission in a condition acceptable for filing at the same millisecond as the other application.

[68 FR 51505, Aug. 27, 2003, as amended at 81 FR 55333, Aug. 18, 2016]

#### § 25.156 Consideration of applications.

(a) Applications for a radio station authorization, or for modification or renewal of an authorization, will be granted if, upon examination of the application, any pleadings or objections filed, and upon consideration of such other matters as it may officially notice, the Commission finds that the applicant is legally, technically, and otherwise qualified, that the proposed facilities and operations comply with all applicable rules, regulations, and policies, and that grant of the application will serve the public interest, convenience and necessity.

(b) [Reserved]

(c) Reconsideration or review of any final action taken by the Commission will be in accordance with subpart A of part 1 of this chapter.

(d)(1) Applications for NGSO-like satellite operation will be considered pursuant to the procedures set forth in § 25.157, except as provided in § 25.157(b).

(2) Applications for GSO-like satellite operation will be considered pursuant to the procedures set forth in § 25.158, except as provided in § 25.158(a)(2).

(3) Applications for both NGSO-like satellite operation and GSO-like satellite operation in two or more service

bands will be treated as separate applications for each service band, and each service band request will be considered pursuant to § 25.157 or § 25.158, as appropriate.

(4) Applications for feeder-link authority or inter-satellite link authority will be treated like an application separate from its associated service band. Each feeder-link request or inter-satellite link request will be considered pursuant to the procedure for applications for GSO-like operation or NGSO-like operation, as applicable.

(5) In cases where the Commission has not adopted frequency-band specific service rules, the Commission will not consider applications for NGSO-like satellite operation after it has granted an application for GSO-like operation in the same frequency band, and it will not consider applications for GSO-like operation after it has granted an application for NGSO-like operation in the same band, unless and until the Commission establishes NGSO/GSO sharing criteria for that frequency band. In the event that the Commission receives applications for NGSO-like operation and applications for GSO-like operation at the same time, and the Commission has not adopted sharing criteria in that band, the Commission will divide the spectrum between GSO-like and NGSO-like licensees based on the proportion of qualified GSO-like and NGSO-like applicants.

(6) An application for DBS or DARS services will be entitled to comparative consideration with one or more conflicting applications only if:

(i) The application is mutually exclusive with another application; and

(ii) The application is received by the Commission in a condition acceptable for filing by the “cut-off” date specified in a public notice.

[56 FR 24016, May 28, 1991, as amended at 68 FR 51505, Aug. 27, 2003; 81 FR 55333, Aug. 18, 2016]

#### § 25.157 Consideration of applications for NGSO-like satellite operation.

(a) This section specifies the procedures for considering license applications for “NGSO-like” satellite operation, except as provided in paragraph (b) of this section. For purposes of this