

stations may voluntarily seek Commission approval to share a single six megahertz channel with other low power television and TV translator stations.

(2) Each station sharing a single channel pursuant to this section shall continue to be licensed and operated separately, have its own call sign and be separately subject to all of the Commission's obligations, rules, and policies.

(b) *Licensing of channel sharing stations.* The low power television or TV translator channel sharing station relinquishing its channel must file an application for the initial channel sharing construction permit, include a copy of the channel sharing agreement as an exhibit, and cross reference the other sharing station(s). Any engineering changes necessitated by the channel sharing arrangement may be included in the station's application. Upon initiation of shared operations, the station relinquishing its channel must notify the Commission that it has terminated operation pursuant to §73.1750 of this part and each sharing station must file an application for license.

(c) *Deadline for implementing channel sharing arrangements.* Channel sharing arrangements submitted pursuant to this section must be implemented within three years of the grant of the initial channel sharing construction permit.

(d) *Channel sharing agreements.* (1) Channel sharing agreements (CSAs) submitted under this section must contain provisions outlining each licensee's rights and responsibilities regarding:

(i) Access to facilities, including whether each licensee will have unrestrained access to the shared transmission facilities;

(ii) Allocation of bandwidth within the shared channel;

(iii) Operation, maintenance, repair, and modification of facilities, including a list of all relevant equipment, a description of each party's financial obligations, and any relevant notice provisions;

(iv) Transfer/assignment of a shared license, including the ability of a new licensee to assume the existing CSA; and

(v) Termination of the license of a party to the CSA, including reversion of spectrum usage rights to the remaining parties to the CSA.

(2) CSAs must include provisions:

(i) Affirming compliance with the channel sharing requirements in paragraph (d)(1) of this section and all relevant Commission rules and policies; and

(ii) Requiring that each channel sharing licensee shall retain spectrum usage rights adequate to ensure a sufficient amount of the shared channel capacity to allow it to provide at least one Standard Definition program stream at all times.

(e) Upon termination of the license of a party to a CSA, the spectrum usage rights covered by that license may revert to the remaining parties to the CSA. Such reversion shall be governed by the terms of the CSA in accordance with paragraph (d)(1)(v) of this section. If upon termination of the license of a party to a CSA only one party to the CSA remains, the remaining licensee may file an application to change its license to non-shared status using FCC Form 2100, Schedule D.

(f) If the rights under a CSA are transferred or assigned, the assignee or the transferee must comply with the terms of the CSA in accordance with paragraph (d)(1)(iv) of this section. If the transferee or assignee and the licensees of the remaining channel sharing station or stations agree to amend the terms of the existing CSA, the agreement may be amended, subject to Commission approval.

[81 FR 5053, Feb. 1, 2016]

§ 74.801 Definitions.

600 MHz duplex gap. An 11 megahertz guard band that separates part 27 600 MHz service uplink and downlink frequencies, in accordance with the terms and conditions established in GN Docket No. 12-268, pursuant to section 6403 of the Spectrum Act.

600 MHz guard bands. Designated frequency bands that prevent interference between licensed services in the 600

MHz service band and either the television bands or channel 37, in accordance with the terms and conditions established in GN Docket No. 12–268, pursuant to section 6403 of the Spectrum Act.

600 MHz service band. Frequencies that will be reallocated and reassigned for 600 MHz band services as determined by the outcome of the auction conducted pursuant to part 27, in accordance with the terms and conditions established in GN Docket No. 12–268, pursuant to section 6403 of the Spectrum Act

NOTE TO DEFINITIONS OF *600 MHz duplex gap*, *600 MHz guard bands*, AND *600 MHz service band*: The specific frequencies will be determined in light of further proceedings pursuant to GN Docket No. 12–268 and the rules will be updated accordingly pursuant to a future public notice.

Cable television system operator. A cable television operator is defined in § 76.5(cc) of the rules.

Large venue owner or operator. Large venue owner or operator refers to a person or organization that owns or operates a venue that routinely uses 50 or more low power auxiliary station devices, where the use of such devices is an integral part of major events or productions. Routinely using 50 or more low power auxiliary station devices means that the venue owner or operator uses 50 or more such devices for most events or productions.

Low power auxiliary station. An auxiliary station authorized and operated pursuant to the provisions set forth in this subpart. Devices authorized as low power auxiliary stations are intended to transmit over distances of approximately 100 meters for uses such as wireless microphones, cue and control communications, and synchronization of TV camera signals.

Motion picture producer. Motion picture producer refers to a person or organization engaged in the production or filming of motion pictures.

Professional sound company. Professional sound company refers to a person or organization that provides audio services that routinely use 50 or more low power auxiliary station devices, where the use of such devices is an integral part of major events or productions. Routinely using 50 or more low power auxiliary station devices means

that the professional sound company uses 50 or more such devices for most events or productions.

Spectrum Act. Title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. 112–96).

Television program producer. Television program producer refers to a person or organization engaged in the production of television programs.

Wireless assist video device. An auxiliary station authorized and operated by motion picture and television program producers pursuant to the provisions of this subpart. These stations are intended to transmit over distances of approximately 300 meters for use as an aid in composing camera shots on motion picture and television sets.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[42 FR 14729, Mar. 16, 1977, as amended at 43 FR 14662, Apr. 7, 1978; 51 FR 4603, Feb. 6, 1986; 51 FR 9966, Mar. 24, 1986; 54 FR 41842, Oct. 12, 1989; 68 FR 12772, Mar. 17, 2003; 79 FR 40689, July 14, 2014; 80 FR 71728, Nov. 17, 2015]

§ 74.802 Frequency assignment.

(a)(1) Frequencies within the following bands may be assigned for use by low power auxiliary stations:

26.100–26.480 MHz
54.000–72.000 MHz
76.000–88.000 MHz
161.625–161.775 MHz (except in Puerto Rico or the Virgin Islands)
174.000–216.000 MHz
450.000–451.000 MHz
455.000–456.000 MHz
470.000–488.000 MHz
488.000–494.000 MHz (except Hawaii)
494.000–608.000 MHz
614.000–698.000 MHz
941.500–952.000 MHz
952.850–956.250 MHz
956.45–959.85 MHz
1435–1525 MHz
6875.000–6900.000 MHz
7100.000–7125.000 MHz

(2) The four megahertz segment from one to five megahertz above the lower edge of the 600 MHz duplex gap may be assigned for use by low power auxiliary stations.

NOTE TO PARAGRAPH (A)(2): The specific frequencies for the 600 MHz duplex gap will be determined in light of further proceedings pursuant to GN Docket No. 12–268 and the rule will be updated accordingly pursuant to a future public notice.