

§ 25.117

47 CFR Ch. I (10–1–20 Edition)

station applications must be filed on Form 312 and Schedule S. Amendments to earth station applications must be filed on Form 312 and Schedule B.

[56 FR 24016, May 28, 1991, as amended at 68 FR 51503, Aug. 27, 2003; 69 FR 47794, Aug. 6, 2004; 78 FR 8421, Feb. 6, 2013]

§ 25.117 Modification of station license.

(a) Except as provided for in § 25.118 (Modifications not requiring prior authorization), no modification of a radio station governed by this part which affects the parameters or terms and conditions of the station authorization shall be made except upon application to and grant of such application by the Commission.

(b) Both earth station and space station modification applications 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.

(c) Applications for modification of earth station authorizations must be submitted on FCC Form 312, Main Form and Schedule B. Applications for modification of space station authorizations must be submitted on FCC Form 312, Main Form and Schedule S. Only those items that change need to be specified, provided that the applicant certifies that the remaining information has not changed.

(d)(1) Except as set forth in § 25.118(e), applications for modifications of space station authorizations shall be filed in accordance with § 25.114 and/or § 25.122 or § 25.123, as applicable, but only those items of information listed in § 25.114 and/or § 25.122 or § 25.123 that change need to be submitted, provided the applicant certifies that the remaining information has not changed.

(2) Applications for modifications of space station authorizations will be granted except under the following circumstances:

(i) Granting the modification would make the applicant unqualified to operate a space station under the Commission's rules.

(ii) Granting the modification request would not serve the public interest, convenience, and necessity.

(iii) Except as set forth in paragraph (d)(2)(iv) of this section, applications

for modifications of GSO-like space station authorizations granted pursuant to the procedure set forth in § 25.158, which seek to relocate a GSO satellite or add a frequency band to the authorization, will be placed in a queue pursuant to § 25.158 and considered only after previously filed space station license applications or space station modification applications have been considered.

(iv) Applications for modifications of space station authorizations to increase the authorized bandwidth will not be considered in cases in which the original space station authorization was granted pursuant to the procedures set forth in § 25.157(e) or § 25.158(c)(4).

(v) Any 17/24 GHz BSS space station operator whose license is conditioned to operate at less than the power level otherwise permitted by § 25.208(c) and/or (w) of this part, and is conditioned to accept interference from a neighboring 17/24 GHz BSS space station, may file a modification application to remove those two conditions in the event that the license for that neighboring space station is cancelled or surrendered. In the event that two or more such modification applications are filed, and those applications are mutually exclusive, the modification applications will be considered on a first-come, first-served basis pursuant to the procedure set forth in § 25.158 of this part.

(3) In the event that a space station licensee provides notification of a planned license modification pursuant to § 25.118(e), and the Commission finds that the proposed modification does not meet the requirements of § 25.118(e), the Commission will issue a public notice announcing that the proposed license modification will be considered pursuant to the procedure specified in paragraphs (d)(1) and (d)(2) of this section.

(e) Any application for modification of authorization to extend a required date of completion, as set forth in § 25.133 for earth station authorizations or § 25.164 for space stations, or included as a condition of any earth station or space station authorization, must include a verified statement from the applicant:

(1) That states that the additional time is required due to unforeseeable circumstances beyond the applicant's control, describes these circumstances with specificity, and justifies the precise extension period requested; or

(2) That states there are unique and overriding public interest concerns that justify an extension, identifies these interests and justifies a precise extension period (f) An application for modification of a space station license to add an ancillary terrestrial component to an eligible satellite network will be treated as a request for a minor modification if the particulars of operations provided by the applicant comply with the criteria specified in § 25.149. Notwithstanding the treatment of such an application as a minor modification, the Commission shall place any initial application for the modification of a space station license to add an ancillary terrestrial component on notice for public comment. Except as provided for in § 25.149(f), no application for authority to add an ancillary terrestrial component to an eligible satellite network shall be granted until the applicant has demonstrated actual compliance with the criteria specified in § 25.149(b).

(g) The licensee and grantees shall ensure compliance with the Commission's radio frequency exposure requirements in §§ 1.1307(b), 2.1091, and 2.1093 of this chapter, as appropriate. An Environmental Assessment may be required if RF radiation from the proposed facilities would, in combination with radiation from other sources, cause RF power density or field strength in an accessible area to exceed the applicable limits specified in § 1.1310 of this chapter. See § 1.1307(b)(5)(iii).

(h) Unless otherwise ordered by the Commission, an application for any of the following kinds of modification of the operation of a GSO space station will be deemed granted 35 days after the date of the public notice that the application has been accepted for filing, provided no objection is filed during the 30-day notice period and the application does not propose a change that would be inconsistent with a Commission rule or require modification of the BSS plan in Appendix 30 or the as-

sociated feeder-link Plan in Appendix 30A of the ITU Radio Regulations (both incorporated by reference, *see* § 25.108).

(1) Relocation of a DBS or GSO FSS space station by no more than 0.15° from the initially authorized orbital location, provided the application includes a signed certification that:

(i) The space station operator 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.

(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; 85 FR 18150, Apr. 1, 2020; 85 FR 43733, July 20, 2020]

§ 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.