

**Federal Communications Commission**

**§ 73.525**

broadcast station concurring with the proposed Class D facilities.

[43 FR 39716, Sept. 6, 1978, as amended at 44 FR 48226, Aug. 17, 1979; 47 FR 28388, June 30, 1982; 50 FR 8326, Mar. 1, 1985; 85 FR 35573, June 11, 2020]

**§ 73.513 Noncommercial educational FM stations operating on unre-served channels.**

(a) Noncommercial educational FM stations other than Class D (secondary) which operate on Channels 221 through 300 but which comply with § 73.503 as to licensing requirements and the nature of the service rendered, must comply with the provisions of the following sections of subpart B: §§ 73.201 through 73.213 (Classification of FM Broadcast Stations and Allocations of Frequencies) and such other sections of subpart B as are made specially applicable by the provisions of this subpart C. Stations in Alaska authorized before August 11, 1982, using Channels 261–300 need not meet the minimum effective radiated power requirement specified in § 73.211(a). In all other respects, stations operating on Channels 221 through 300 are to be governed by the provisions of this subpart and not subpart B.

(b) When a noncommercial educational applicant is among mutually exclusive applications for an unre-served FM channel, the mutually exclusive applications will be considered pursuant to Subpart I—Competitive Bidding Procedures and not Subpart K—Application and Selection Procedures On Reserved Noncommercial Educational Channels.

[47 FR 30068, July 12, 1982, as amended at 65 FR 36378, June 8, 2000]

**§ 73.514 Protection from interference.**

Permittees and licensees of NCE FM stations are not protected from interference which may be caused by the grant of a new LPFM station or of authority to modify an existing LPFM station, except as provided in subpart G of this part.

[65 FR 67299, Nov. 9, 2000]

**§ 73.515 NCE FM transmitter location.**

The transmitter location shall be chosen so that, on the basis of effective

radiated power and antenna height above average terrain employed, a minimum field strength of 1 mV/m (60 dBu) will be provided over at least 50 percent of its community of license or reach 50 percent of the population within the community.

[65 FR 79779, Dec. 20, 2000]

**§ 73.525 TV Channel 6 protection.**

The provisions of this section apply to all applications for construction permits for new or modified facilities for a NCE-FM station on Channels 200–220 unless the application is accompanied by a written agreement between the NCE-FM applicant and each affected TV Channel 6 broadcast station concurring with the proposed NCE-FM facilities.

(a) *Affected TV Channel 6 station.* (1) An affected TV Channel 6 station is a TV broadcast station which is authorized to operate on Channel 6 that is located within the following distances of a NCE-FM station operating on Channels 201–220:

TABLE A

NCE-FM channel	Distance (kilometers)	NCE-FM channel	Distance (kilometers)
201	265	211	196
202	257	212	195
203	246	213	193
204	235	214	187
205	225	215	180
206	211	216	177
207	196	217	174
208	196	218	166
209	196	219	159
210	196	220	154

(2) Where a NCE-FM application has been accepted for filing or granted, the subsequent acceptance of an application filed by a relevant TV Channel 6 station will not require revision of the pending NCE-FM application or the FM station's authorized facilities, unless the provisions of paragraph (e)(3) of this section for TV translator or satellite stations apply.

(b) *Existing NCE-FM stations.* (1) A NCE-FM station license authorized to operate on channels 201–220 as of December 31, 1984, or a permittee, granted a construction permit for a NCE-FM station as of December 31, 1984, are not subject to this section unless they propose either: