

Federal Communications Commission

§ 90.617

TABLE 2 TO § 90.616(d)—CHANNELS IN THE 896–897.5/935–936.5 AND 900.5–901/939.5–940 MHz FREQUENCY BANDS IN TRANSITIONED MARKETS AVAILABLE IN THE U.S./CANADA BORDER AREA

Region	Location (longitude)	Channels
1 .....	66° W–71° W (0–100 km from border).	1–119, 398, 399.
2 .....	71° W–80°30' W (0–100 km from border).	1–119.
3 .....	80°30' W–85° W (0–100 km from border).	1–119.
4 .....	85° W–121°30' W (0–100 km from border).	1–119, 398, 399.
5 .....	121°30' W–127° W (0–140 km from border).	1–119, 398, 399.
6 .....	127° W–143° W (0–100 km from border).	1–119, 398, 399.
7 .....	66° W–121°30' W (100–140 km from border).	1–119, 361–399.
8 .....	127° W–143° W (100–140 km from border).	1–119, 361–399.

(e) Table 3 to § 90.616(e) indicates additional channels available in transitioned markets to the entities set forth in paragraph (a) of this section, available for use in the U.S./Canada border area. The channels listed in Table 3 are available for assignment in Regions 1–6 if the maximum power flux density (PFD) of the station's transmitted signal does not exceed the limits specified in tables 29 and 30 of § 90.619 of this chapter.

TABLE 3 TO § 90.616(e)—ADDITIONAL CHANNELS AVAILABLE IN TRANSITIONED MARKETS IN THE U.S./CANADA BORDER AREA [Regions 1–6]

Region	Channel No.'s	Effective radiated power
1 .....	361–397	See Table 29 of section 90.619.
2 .....	361–399	See Table 29 of section 90.619.
3 .....	361–399	See Table 29 of section 90.619.
4 .....	361–397	See Table 29 of section 90.619.
5 .....	361–397	See Table 30 of section 90.619.

TABLE 3 TO § 90.616(e)—ADDITIONAL CHANNELS AVAILABLE IN TRANSITIONED MARKETS IN THE U.S./CANADA BORDER AREA—Continued

[Regions 1–6]

Region	Channel No.'s	Effective radiated power
6 .....	361–397	See Table 29 of section 90.619.

[85 FR 43139, July 15, 2020]

**§ 90.617 Frequencies in the 809.750–824/854.750–869 MHz, and 896–901/935–940 MHz bands available for trunked, conventional or cellular system use in non-border areas.**

The following channels will be available at locations farther than 110 km (68.4 miles) from the U.S./Mexico border and 140 km (87 miles) from the U.S./Canadian border (“non-border areas”).

(a) Unless otherwise specified, the channels listed in Table 1 and paragraph (a)(1) of this section are available for eligible applicants in the Public Safety Category which consists of licensees eligible in the Public Safety Pool of subpart B of this part. 800 MHz high density cellular systems as defined in § 90.7 are prohibited on these channels. These frequencies are available in non-border areas. Specialized Mobile Radio Systems will not be authorized in this category. These channels are available for intercategory sharing as indicated in § 90.621(e).

TABLE 1—PUBLIC SAFETY POOL 806–816/851–861 MHz BAND CHANNELS

[139 Channels]

Group No.	Channel Nos.
269 .....	269–289–311–399–439.
269a .....	269a–289a–311a–399a–439a.
270 .....	270–290–312–400–440.
270a .....	270a–290a–312a–400a–440a.
279 .....	279–299–319–339–359.
279a .....	279a–299a–319a–339a–359a.
280 .....	280–300–320–340–360.
280a .....	280a–300a–320a–340a–360a.
309 .....	309–329–349–369–389.
309a .....	309a–329a–349a–369a–389a.
310 .....	310–330–350–370–390.
310a .....	310a–330a–350a–370a–390a.
313 .....	313–353–393–441–461.
313a .....	313a–353a–393a–441a–461a.
314 .....	314–354–394–448–468.
314a .....	314a–354a–394a–448a–468a.
321 .....	321–341–361–381–419.
321a .....	321a–341a–361a–381a–419a.
328 .....	328–348–368–388–420.

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TABLE 1—PUBLIC SAFETY POOL 806–816/851–861 MHz BAND CHANNELS—Continued  
[139 Channels]

Group No.	Channel Nos.
328a .....	328a–348a–368a–388a–420a.
351 .....	351–379–409–429–449.
351a .....	351a–379a–409a–429a–449a.
352 .....	352–380–410–430–450.
332a .....	352a–380a–410a–430a–450a.
Single Channels.	391, 392, 401, 408, 421, 428, 459, 460, 469, 470, 391a, 392a, 401a, 408a, 421a, 428a, 459a, 460a, 469a.

(1) Channels numbers 1–230 are also available to eligible applicants in the Public Safety Category in non-border areas. The assignment of these channels will be done in accordance with the policies defined in the Report and Order in Gen. Docket No. 87–112 (See § 90.16). The following channels are available only for mutual aid purposes as defined in Gen. Docket No. 87–112: Channels 1, 39, 77, 115, 153. Mobile and portable radios operating on the mutual aid channels shall employ analog FM emission.

(2) Except as provided in paragraph (a)(3) of this section, the channels listed in Table 1A are available in the counties listed in § 90.614(c) to eligible applicants in the Public Safety Category. 800 MHz high density cellular systems as defined in § 90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in § 90.621(e).

TABLE 1A—PUBLIC SAFETY POOL 806–813.5/851–858.5 MHz BAND CHANNELS FOR COUNTIES IN SOUTHEASTERN U.S.  
[138 Channels]

Group No.	Channel Nos.
261 .....	261–313–324–335–353
261a .....	261a–313a–324a–335a–353a
262 .....	262–314–325–336–354
262a .....	262a–314a–325a–336a–354a
265 .....	265–285–315–333–351
265a .....	265a–285a–315a–333a–351a
266 .....	266–286–316–334–352
266a .....	266a–286a–316a–334a–352a
269 .....	269–289–311–322–357
269a .....	269a–289a–311a–322a–357a
270 .....	270–290–312–323–355
270a .....	270a–290a–312a–323a–355a
271 .....	271–328–348–358–368
271a .....	271a–328a–348a–358a–368a
279 .....	279–299–317–339–359
279a .....	279a–299a–317a–339a–359a
280 .....	280–300–318–340–360
280a .....	280a–300a–318a–340a–360a
309 .....	309–319–329–349–369

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TABLE 1A—PUBLIC SAFETY POOL 806–813.5/851–858.5 MHz BAND CHANNELS FOR COUNTIES IN SOUTHEASTERN U.S.—Continued  
[138 Channels]

Group No.	Channel Nos.
309a .....	309a–319a–329a–349a–369a
310 .....	310–320–330–350–370
310a .....	310a–320a–330a–350a
321 .....	321–331–341–361–372
321a .....	321a–331a–341a–361a
Single Channels.	326, 327, 332, 337, 338, 342, 343, 344, 345, 356, 326a, 327a, 332a, 337a, 338a, 342a, 343a, 344a, 345a, 356a

(3) The channels listed in Table 1B are available within 113 km (70 mi) of the center city coordinates of Atlanta, GA to eligible applicants in the Public Safety Category. The center city coordinates of Atlanta, GA—for the purposes of the rule—are defined as 33°44'55" NL, 84°23'17" WL. 800 MHz high density cellular systems as defined in § 90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in § 90.621(e).

TABLE 1B—PUBLIC SAFETY POOL 806–813.5/851–858.5 MHz BAND CHANNELS FOR ATLANTA, GA  
[138 Channels]

Group No.	Channel Nos.
261 .....	261–313–324–335–353
261a .....	261a–313a–324a–335a–353a
262 .....	262–314–325–336–354
262a .....	262a–314a–325a–336a–354a
269 .....	269–289–311–322–357
269a .....	269a–289a–311a–322a–357a
270 .....	270–290–312–323–355
270a .....	270a–290a–312a–323a–355a
279 .....	279–299–319–339–359
279a .....	279a–299a–319a–339a–359a
280 .....	280–300–320–340–360
280a .....	280a–300a–320a–340a–360a
285 .....	285–315–333–351–379
285a .....	285a–315a–333a–351a–379a
286 .....	286–316–334–352–380
286a .....	286a–316a–334a–352a–380a
309 .....	309–329–349–369–389
309a .....	309a–329a–349a–369a–389a
310 .....	310–330–350–370–390
310a .....	310a–330a–350a–370a
321 .....	321–331–341–361–381
321a .....	321a–331a–341a–361a–381a
328 .....	328–348–358–368–388
328a .....	328a–348a–358a–368a–388a
Single Channels.	317, 318, 326, 327, 332, 337, 338, 356, 371, 372, 317a, 318a, 326a, 327a, 332a, 337a, 338a, 356a, 371a

(b) Unless otherwise specified, the channels listed in Table 2 are available to applicants eligible in the Industrial/

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Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in §90.603(c). 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These frequencies are available in non-border areas. Specialized Mobile Radio (SMR) systems will not be authorized on these frequencies. These channels are available for intercategory sharing as indicated in §90.621(e).

TABLE 2—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806–816/851–861 MHz BAND CHANNELS

[200 Channels]

Group No.	Channel Nos.
322	322–362–402–442–482.
322a	322a–362a–402a–442a–482a.
323	323–363–403–443–483.
323a	323a–363a–403a–443a–483a.
324	324–364–404–444–484.
324a	324a–364a–404a–444a–484a.
325	325–365–405–445–485.
325a	325a–365a–405a–445a–485a.
326	326–366–406–446–486.
326a	326a–366a–406a–446a–486a.
327	327–367–407–447–487.
327a	327a–367a–407a–447a–487a.
342	342–382–422–462–502.
342a	342a–382a–422a–462a–502a.
343	343–383–423–463–503.
343a	343a–383a–423a–463a–503a.
344	344–384–424–464–504.
344a	344a–384a–424a–464a–504a.
345	345–385–425–465–505.
345a	345a–385a–425a–465a–505a.
346	346–386–426–466–506.
346a	346a–386a–426a–466a–506a.
347	347–387–427–467–507.
347a	347a–387a–427a–467a–507a.
Single Channels	261, 271, 281, 291, 301, 262, 272, 282, 292, 302, 263, 273, 283, 293, 303, 264, 274, 284, 294, 304, 265, 275, 285, 295, 305, 266, 276, 286, 296, 306, 267, 277, 287, 297, 307, 268, 278, 288, 298, 308. 261a, 271a, 281a, 291a, 301a, 262a, 272a, 282a, 292a, 302a, 263a, 273a, 283a, 293a, 303a, 264a, 274a, 284a, 294a, 304a, 265a, 275a, 285a, 295a, 305a, 266a, 276a, 286a, 296a, 306a, 267a, 277a, 287a, 297a, 307a, 268a, 278a, 288a, 298a, 308a.

(1) Except as provided in paragraph (b)(2) of this section, the channels listed in Table 2A are available in the counties listed in §90.614(c) to eligible applicants in the Industrial/Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in §90.603(c). 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These channels are available for inter-

category sharing as indicated in §90.621(e).

TABLE 2A—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806–813.5/851–858.5 MHz BAND FOR CHANNELS IN SOUTHEASTERN U.S.

[137 Channels]

	Channel Nos.
Single Channels.	263, 264, 267, 268, 272, 273, 274, 275, 276, 277, 278, 281, 282, 283, 284, 287, 288, 291, 292, 293, 294, 295, 296, 297, 298, 301, 302, 303, 304, 305, 306, 307, 308, 346, 347, 362, 363, 364, 365, 366, 367, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410 263a, 264a, 267a, 268a, 272a, 273a, 274a, 275a, 276a, 277a, 278a, 281a, 282a, 283a, 284a, 287a, 288a, 291a, 292a, 293a, 294a, 295a, 296a, 297a, 298a, 301a, 302a, 303a, 304a, 305a, 306a, 307a, 308a, 346a, 347a, 362a, 363a, 364a, 365a, 366a, 367a, 379a, 380a, 381a, 382a, 383a, 384a, 385a, 386a, 387a, 388a, 389a, 390a, 391a, 392a, 393a, 394a, 399a, 400a, 401a, 402a, 403a, 404a, 405a, 406a, 407a, 408a, 409a

(2) The channels listed in Table 2B are available within 113 km (70 mi) of the center city coordinates of Atlanta, GA, to eligible applicants in the Industrial/Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in §90.603(c). The center city coordinates of Atlanta, GA—for the purposes of the rule—are defined as 33°44'55" NL, 84°23'17" WL. 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e).

TABLE 2B—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806–813.5/851–858.5 MHz BAND FOR CHANNELS IN ATLANTA, GA

[137 Channels]

	Channel Nos.
Single Channels.	263, 264, 265, 266, 267, 268, 271, 272, 273, 274, 275, 276, 277, 278, 281, 282, 283, 284, 287, 288, 291, 292, 293, 294, 295, 296, 297, 298, 301, 302, 303, 304, 305, 306, 307, 308, 342, 343, 344, 345, 346, 347, 362, 363, 364, 365, 366, 367, 382, 383, 384, 385, 386, 387, 391, 392, 393, 394, 399, 400, 401, 402, 403, 404, 405, 406, 407, 409, 410

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TABLE 2B—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806–813.5/851–858.5 MHZ BAND FOR CHANNELS IN ATLANTA, GA—Continued

[137 Channels]

	Channel Nos.
	263a, 264a, 265a, 266a, 267a, 268a, 271a, 272a, 273a, 274a, 275a, 276a, 277a, 278a, 281a, 282a, 283a, 284a, 287a, 288a, 291a, 292a, 293a, 294a, 295a, 296a, 297a, 298a, 301a, 302a, 303a, 304a, 305a, 306a, 307a, 308a, 342a, 343a, 344a, 345a, 346a, 347a, 362a, 363a, 364a, 365a, 366a, 367a, 382a, 383a, 384a, 385a, 386a, 387a, 391a, 392a, 393a, 394a, 399a, 400a, 401a, 402a, 403a, 404a, 405a, 406a, 407a, 409a

(c) Except as specified in § 90.616, the channels listed in Table 3 of this section are available to applicants eligible in the Industrial Business Pool of subpart C of this part but exclude Specialized Mobile Radio Systems as defined in § 90.603(c). These frequencies are available in non-border areas. Specialized Mobile Radio (SMR) systems will not be authorized on these frequencies. These channels are available for inter-category sharing as indicated in § 90.621(e).

For multi-channel systems, channels may be grouped vertically or horizontally as they appear in the following table.

TABLE 3—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 896–901/935–940 MHZ BAND CHANNELS

[199 channels]

	Channel Nos.
11–12–13–14–15 .....	211–212–213–214–215
16–17–18–19–20 .....	216–217–218–219–220
31–32–33–34–35 .....	231–232–233–234–235
36–37–38–39–40 .....	236–237–238–239–240
51–52–53–54–55 .....	251–252–253–254–255
56–57–58–59–60 .....	256–257–258–259–260
71–72–73–74–75 .....	271–272–273–274–275
76–77–78–79–80 .....	276–277–278–279–280

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TABLE 3—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 896–901/935–940 MHZ BAND CHANNELS—Continued

[199 channels]

91–92–93–94–95 .....	291–292–293–294–295
96–97–98–99–100 ....	296–297–298–299–300
111–112–113–114–115.	311–312–313–314–315
116–117–118–119–120.	316–317–318–319–320
131–132–133–134–135.	331–332–333–334–335
136–137–138–139–140.	336–337–338–339–340
151–152–153–154–155.	351–352–353–354–355
156–157–158–159–160.	356–357–358–359–360
171–172–173–174–175.	371–372–373–374–375
176–177–178–179–180.	376–377–378–379–380
191–192–193–194–195.	391–392–393–394–395
196–197–198–199–200.	396–397–398–399

(d) Unless otherwise specified, the channels listed in Tables 4A and 4B are available only to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. 800 MHz high density cellular systems, as defined in § 90.7, are prohibited on these channels. These frequencies are available in non-border areas. The spectrum blocks listed in Table 4A are available for EA-based services (as defined by § 90.681) prior to January 21, 2005. No new EA-based services will be authorized after January 21, 2005. EA-based licensees who operate non-high-density cellular systems prior to January 21, 2005, may choose to remain on these channels in the non-high-density cellular portion of the 800 MHz band (as defined in § 90.614). These licensees may continue to operate non-high-density cellular systems and will be grandfathered indefinitely. The channels listed in Table 4B will be available for site-based licensing after January 21, 2005, in any Economic Area where no EA-based licensee is authorized for these channels.

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TABLE 4A—EA-BASED SMR CATEGORY 806–816/851–861 MHZ BAND CHANNELS, AVAILABLE PRIOR TO JANUARY 21, 2005  
[80 Channels]

Spectrum block	Channel Nos.
G .....	311–351–391–431–471
H .....	312–352–392–432–472
I .....	313–353–393–433–473
J .....	314–354–394–434–474
K .....	315–355–395–435–475
L .....	316–356–396–436–476
M .....	317–357–397–437–477
N .....	318–358–398–438–478
O .....	331–371–411–451–491

TABLE 4A—EA-BASED SMR CATEGORY 806–816/851–861 MHZ BAND CHANNELS, AVAILABLE PRIOR TO JANUARY 21, 2005—Continued

[80 Channels]	
Spectrum block	Channel Nos.
P .....	332–372–412–452–492
Q .....	333–373–413–453–493
R .....	334–374–414–454–494
S .....	335–375–415–455–495
T .....	336–376–416–456–496
U .....	337–377–417–457–497
V .....	338–378–418–458–498

TABLE 4B—SMR CATEGORY 806–816/851–861 MHZ BAND CHANNELS, AVAILABLE AFTER JANUARY 21, 2005, FOR SITE-BASED LICENSING  
[160 Channels]

Group No.	Channel Nos.
315 .....	315–355–395–435–475.
315a .....	315a–355a–395a–435a–475a.
316 .....	316–356–396–436–476.
316a .....	316a–356a–396a–436a–476a.
317 .....	317–357–397–437–477.
317a .....	317a–357a–397a–437a–477a.
318 .....	318–358–398–438–478.
318a .....	318a–358a–398a–438a–478a.
331 .....	331–371–411–451–491.
331a .....	331a–371a–411a–451a–491a.
332 .....	332–372–412–452–492.
332a .....	332a–372a–412a–452a–492a.
333 .....	333–373–413–453–493.
333a .....	333a–373a–413a–453a–493a.
334 .....	334–374–414–454–494.
334a .....	334a–374a–414a–454a–494a.
335 .....	335–375–415–455–495.
335a .....	335a–375a–415a–455a–495a.
336 .....	336–376–416–456–496.
336a .....	336a–376a–416a–456a–496a.
337 .....	337–377–417–457–497.
337a .....	337a–377a–417a–457a–497a.
338 .....	338–378–418–458–498.
338a .....	338a–378a–418a–458a–498a.
Single Channels .....	431, 432, 433, 434, 471, 472, 473, 474, 479, 480, 481, 488, 489, 490, 499, 500, 501, 508, 509, 510. 431a, 432a, 433a, 434a, 471a, 472a, 473a, 474a, 479a, 480a, 481a, 488a, 489a, 490a, 499a, 500a, 501a, 508a, 509a, 510a.

(1) Except as provided in paragraph (d)(2) of this section, the channels listed in Table 4C are available in the counties listed in §90.614(c) for non-high-density cellular operations only to eligibles in the SMR category—which consists of Specialized Mobile

Radio (SMR) stations and eligible end users. 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e).

TABLE 4C—SMR CATEGORY 806–813.5/851–858.5 MHZ BAND CHANNELS AVAILABLE FOR SITE-BASED LICENSING IN SOUTHEASTERN U.S. AFTER JANUARY 21, 2005  
[22 Channels]

	Channel Nos.
Single Channels .....	371, 373, 374, 375, 376, 377, 378, 395, 396, 397, 398. 371a, 373a, 374a, 375a, 376a, 377a, 378a, 395a, 396a, 397a, 398a.

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(2) The channels listed in Table 4D are available within 113 km (70 mi) of the center city coordinates of Atlanta, GA, only to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. The center city coordinates of Atlanta, GA—for the purposes of this rule—are defined as 33°44'55" NL, 84°23'17" WL. 800 MHz high density cel-

lular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e). 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e).

**TABLE 4D—SMR CATEGORY 806–813.5/851–858.5 MHZ BAND CHANNELS AVAILABLE FOR SITE-BASED LICENSING IN ATLANTA, GA AFTER JANUARY 21, 2005**  
[22 Channels]

	Channel Nos.
Single Channels .....	373, 374, 375, 376, 377, 378, 395, 396, 397, 398, 408. 373a, 374a, 375a, 376a, 377a, 378a, 395a, 396a, 397a, 398a, 408a.

(e) The Channels listed in §90.614(b) and (c) are available to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. ESMR licensees which employ an 800 MHz high density cellular system, as defined in §90.7, are permitted to operate on these channels in non-border areas. ESMR licensees authorized prior to January 21, 2005, may continue to operate, if they so choose, on the channels listed in Table 5. These licensees will be grandfathered indefinitely.

**TABLE 6—SMR CATEGORY 896–901/935–940 MHZ BAND CHANNELS**  
[200 channels]

**TABLE 5—ESMR CATEGORY 816–821 MHZ BAND CHANNELS FOR CELLULAR OPERATIONS IN NON-BORDER AREAS AVAILABLE PRIOR TO JANUARY 21, 2005**  
[200 Channels]

Spectrum block	Channel Nos.
A .....	511 through 530.
B .....	531 through 590.
C .....	591 through 710.

Block	Channel Nos.
A .....	1–2–3–4–5–6–7–8–9–10
B .....	21–22–23–24–25–26–27–28–29–30
C .....	41–42–43–44–45–46–47–48–49–50
D .....	61–62–63–64–65–66–67–68–69–70
E .....	81–82–83–84–85–86–87–88–89–90
F .....	101–102–103–104–105–106–107–108–109–110
G .....	121–122–123–124–125–126–127–128–129–130
H .....	141–142–143–144–145–146–147–148–149–150
I .....	161–162–163–164–165–166–167–168–169–170
J .....	181–182–183–184–185–186–187–188–189–190
K .....	201–202–203–204–205–206–207–208–209–210
L .....	221–222–223–224–225–226–227–228–229–230
M .....	241–242–243–244–245–246–247–248–249–250
N .....	261–262–263–264–265–266–267–268–269–270
O .....	281–282–283–284–285–286–287–288–289–290
P .....	301–302–303–304–305–306–307–308–309–310
Q .....	321–322–323–324–325–326–327–328–329–330
R .....	341–342–343–344–345–346–347–348–349–350
S .....	361–362–363–364–365–366–367–368–369–370
T .....	381–382–383–384–385–386–387–388–389–390

(f) Except as specified in §90.616, the channels listed in Table 6 of this section are available for operations only to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. These frequencies are available in non-border areas. The spectrum blocks listed below are available for EA-based services according to §90.681.

(g) In a given NPSPAC region, channels below 471 listed in Tables 2 and 4B

which are vacated by licensees relocating to channels 551–830 and which remain vacant after band reconfiguration will be available as indicated in § 90.617(g)(1 through 3). The only exception will be for the counties listed in § 90.614(c). At locations greater than 113 km (70 mi) from the center city coordinates of Atlanta, GA within the counties listed in § 90.614(c), the channels listed in Tables 2A and 4C which are vacated by licensees relocating to channels 411–830 and which remain vacant after band reconfiguration will be available as indicated in § 90.617(g)(1 through 3). At locations within 113 km (70 mi) of the center city coordinates of Atlanta, GA, the channels listed in Tables 2B and 4D which are vacated by licensees relocating to channels 411–830 and which remain vacant after band reconfiguration will be available as follows:

(1) Only to eligible applicants in the Public Safety Category until three years after the release of a public notice announcing the completion of band reconfiguration in that region;

(2) Only to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories from three to five years after the release of a public notice announcing the completion of band reconfiguration in that region;

(3) Five years after the release of a public notice announcing the completion of band reconfiguration in that region, these channels revert back to their original pool categories.

(h) In a given 800 MHz NPSPAC region—except for the counties listed in § 90.614(c)—channels below 471 listed in Tables 2 and 4B which are vacated by a licensee relocating to channels 511–550 and remain vacant after band reconfiguration will be available as follows:

(1) Only to eligible applicants in the Public Safety Category until three years after the release of a public notice announcing the completion of band reconfiguration in that region;

(2) Only to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories from three to five years after the release of a public notice announcing the completion of band reconfiguration in that region;

(3) Five years after the release of a public notice announcing the comple-

tion of band reconfiguration in that region, these channels revert back to their original pool categories.

(i) Special Mobilized Radio Systems licensees who operate systems, other than 800 MHz high density cellular systems, on any of the public safety channels listed in Table 1 prior to January 21, 2005, are grandfathered and may continue to operate on these channels indefinitely. These grandfathered licensees will be prohibited from operating 800 MHz high density cellular systems as defined in § 90.7. Site-based licensees who are grandfathered on any of the public safety channels listed in Table 1 may modify their license only if they obtain concurrence from a certified public safety coordinator in accordance with § 90.175(c). Grandfathered EA-based licensees, however, are exempt from any of the frequency coordination requirements of § 90.175 as long as their operations remain within the Economic Area defined by their license in accordance with the requirements of § 90.683(a).

(j) Licensees operating 800 MHz high density cellular systems on the channels listed in § 90.614(a), prior to January 21, 2005, may elect to continue operating on these channels and will be permitted to continue operating 800 MHz high density cellular systems (as defined in § 90.7) in this portion of the band. These licensees will be grandfathered indefinitely subject to the provisions of §§ 90.673, 90.674 and 90.675.

(k) Licensees may operate systems other than 800 MHz high density cellular systems (as defined in § 90.7) on Channels 511–550 at any location vacated by an EA-based SMR licensee. For operations on these channels, unacceptable interference (as defined in § 22.970 of this chapter and § 90.672) will be deemed to occur only at sites where the following median desired signals are received (rather than those specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i). The minimum required median desired signal, as measured at the R.F. input of the receiver, will be as follows:

(1) Mobile units (except in Puerto Rico and the U.S. Virgin Islands):

(i) For channels 511 to 524—the minimum median desired signal levels

specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 524 to 534—the minimum median desired signal level shall increase linearly from the values specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) to –70 dBm;

(iii) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(2) Portable units (except in Puerto Rico and the U.S. Virgin Islands):

(i) For channels 511 to 524—the minimum median desired signal levels specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 524 to 530—the minimum median desired signal level shall increase linearly from the values specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) to –80 dBm;

(iii) For channels 530 to 534—the minimum median desired signal level shall increase linearly from –80 dBm to –70 dBm;

(iv) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(3) Mobile units operating in Puerto Rico and the U.S. Virgin Islands:

(i) For channels 511 to 530—the minimum median desired signal levels specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 531 to 534—the minimum median desired signal level shall increase linearly from –80.2 dBm to –70 dBm;

(iii) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(4) Portable units operating in Puerto Rico and the U.S. Virgin Islands:

(i) For channels 511 to 530—the minimum median desired signal levels specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 531 to 534—the minimum median desired signal level shall increase linearly from –80 dBm to –70 dBm;

(iii) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(1) Applicants may begin to license interstitial pool channels (denoted with an “a” after the channel number) listed in paragraphs (a) through (d) of this section only after the Wireless Telecommunications Bureau and the Public Safety and Homeland Security Bureau jointly release a public notice announcing the availability of those channels for licensing in a National Public Safety Planning Advisory Committee region.

(m) Incumbent licensees in the 470–512 MHz band in the urban areas specified in § 90.303 of the Commission’s rules are given priority access over mutually exclusive applicants for a three-year period to all interstitial channel pairs in the public safety pool or the business/industrial/land transportation pool listed above for which they are eligible, provided that any relocating T-Band incumbent must commit to surrendering an equal amount of 470–512 MHz spectrum on a channel-for-channel basis. The three-year period begins on the date these channel pairs become available for licensing in a National Public Safety Planning Advisory Committee region. Priority access applies to any applicant seeking to license a base station within 80 kilometers (50 miles) or mobile units or control stations within 128 kilometers (80 miles) of the geographic center of the urbanized areas listed in § 90.303 of the Commission’s rules.

[69 FR 67843, Nov. 22, 2004, as amended at 70 FR 6760, Feb. 8, 2005; 70 FR 76708, Dec. 28, 2005; 72 FR 39760, July 20, 2007; 75 FR 35317, June 22, 2010; 76 FR 11683, Mar. 3, 2011; 81 FR 30201, May 16, 2016; 83 FR 61100, Nov. 27, 2018; 85 FR 41417, July 10, 2020; 85 FR 43140, July 15, 2020]

**§ 90.619 Operations within the U.S./Mexico and U.S./Canada border areas.**

(a) *Use of frequencies in 800 MHz band in Mexico border region.* All operations in the 806–824/851–869 MHz band within 110 km (68.35 miles) of the U.S./Mexico border (“Sharing Zone”) shall be in accordance with international agreements between the U.S. and Mexico.

(1) The U.S. and Mexico divide primary access to channels in the Sharing Zone as indicated in Table A1 below.