

shall, at the time of filing such application with the Commission, simultaneously notify the Director, National Radio Astronomy Observatory, P.O. Box #2, Green Bank, West Virginia, 24944, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After receipt of such applications, the Commission will allow a period of twenty (20) days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the twenty-day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

[42 FR 8329, Feb. 9, 1977]

**§ 5.70 Notification to the Arecibo Observatory.**

Any applicant for a new permanent base or fixed station to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, Post Office Box 995, Arecibo, Puerto Rico 00613, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu

(a) The notification to the Interference Office, Arecibo Observatory shall be made prior to, or simultaneously with, the filing of the application with the Commission. The notification shall state the geographical coordinates of the antenna (NAD-83

datum), antenna height above ground, ground elevation at the antenna, antenna directivity and gain, proposed frequency and FCC Rule Part, type of emission, effective radiated power, and whether the proposed use is itinerant. Generally, submission of the information in the technical portion of the FCC license application is adequate notification. In addition, the applicant shall indicate in its application to the Commission the date notification was made to the Arecibo Observatory.

(b) After receipt of such applications, the Commission will allow the Arecibo Observatory a period of 20 days for comments or objections in response to the notification indicated. The applicant will be required to make reasonable efforts in order to resolve or mitigate any potential interference problem with the Arecibo Observatory and to file either an amendment to the application or a modification application, as appropriate. If the Commission determines that an applicant has satisfied its responsibility to make reasonable efforts to protect the Observatory from interference, its application may be granted.

(c) The provisions of this paragraph do not apply to operations that transmit on frequencies above 15 GHz.

[62 FR 55529, Oct. 27, 1997]

**Subpart C—Technical Standards**

**§ 5.101 Frequency stability.**

If an applicant proposes to use a frequency tolerance greater than the tolerance set forth in the rules governing the service to which the frequencies are assigned in the Table of Frequency Allocations of part 2 of this chapter, the frequency tolerance should be provided as part of the filing in the application for a station license.

[48 FR 52738, Nov. 22, 1983]

**§ 5.102 Types of emission.**

(a) Stations in the Experimental Radio Service may be authorized to use any of the classifications of emissions covered in part 2 of this chapter.

(b) [Reserved]

[28 FR 12506, Nov. 22, 1963, as amended at 48 FR 52737, Nov. 22, 1983]

**§ 5.103 Authorized bandwidth.**

Each authorization issued to a station operating in this service will show, as the prefix to the emission classification, a figure specifying the maximum necessary bandwidth in kilohertz for the emission used. The authorized bandwidth is considered to be the occupied or necessary bandwidth whichever is greater. This bandwidth should be determined in accordance with § 2.202 of part 2 of this chapter.

[48 FR 52738, Nov. 22, 1983]

**§§ 5.104–5.105 [Reserved]****§ 5.106 Transmitter control requirements.**

Each licensee shall be responsible for maintaining control of the transmitter authorized under its station authorization. This includes both ensuring that transmissions are in conformance with the operating characteristics prescribed in the station authorization and that the station is operated only by persons duly authorized by the licensee.

[48 FR 52738, Nov. 22, 1983]

**§ 5.107 [Reserved]****§ 5.108 Wildlife tracking and ocean buoy tracking operations.**

Except as provided in §§ 5.101, 5.102, 5.103 and 5.106, the use of frequencies in the bands 40.66–40.70 MHz and 216–220 MHz for the tracking of and telemetry of scientific data from ocean buoys and animal wildlife are subject to the following conditions:

(a) All transmitters used at stations first licensed after February 18, 1975, shall comply with the technical requirements in paragraph (b) of this section and shall be verified as provided in § 5.109.

(b) Technical requirements for transmitters used for these operations are as follows:

(1) In the 40.66–40.70 MHz frequency band, the bandwidth required for frequency tolerance plus the occupied bandwidth of any emissions must be adjusted so as to be confined within

this band, except as permitted by paragraph (b)(6) of this section.

(2) In the 216–220 MHz frequency band, the carrier frequency shall be maintained within 0.005 percent of the assigned frequency.

(3) Classes of emission will be limited to A0, A1, A2, F1, F2 and/or F9.

(4) Occupied bandwidth shall not exceed 1 kHz.

(5) The maximum carrier power shall not exceed 1 milliwatt for airborne wildlife applications, 10 milliwatts for terrestrial wildlife applications and 100 milliwatts for ocean buoys.

(6) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the schedule shown in § 5.103(b) of this subpart.

[40 FR 2814, Jan. 16, 1975; 40 FR 6474, Feb. 12, 1975; 48 FR 52738, Nov. 22, 1983; 63 FR 36602, July 7, 1998]

EFFECTIVE DATE NOTE: At 63 FR 36602, July 7, 1998, in § 5.108, paragraph (a) was amended by removing the term *type accepted* and adding in its place *verified*, effective Oct. 5, 1998.

**§ 5.109 Acceptability of transmitters for licensing.**

All transmitters used at stations licensed for wildlife and ocean buoy tracking and telemetering operations pursuant to § 5.108 shall be verified pursuant to subpart J of part 2 of this chapter.

[63 FR 36602, July 7, 1998]

EFFECTIVE DATE NOTE: At 63 FR 36602, July 7, 1998, § 5.109 was revised, effective Oct. 5, 1998. For the convenience of the user, the superseded text is set forth as follows:

**§ 5.109 Acceptability of transmitters for licensing.**

All transmitters used at stations licensed for wildlife and ocean buoy tracking and telemetering operations pursuant to § 5.108 shall be type accepted or notified pursuant to subpart J of part 2 of this chapter. After March 5, 1984, only grants of notification will be issued for equipment authorized for use in this service.

Secs. 4(i), 302, 303(e) 303(f) and 303(r) of the Communications Act of 1934, as amended)

[49 FR 3996, Feb. 1, 1984]