

## § 95.801

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*EIRP.* Effective Isotropic Radiated Power. Antenna input power times gain for free-space or in-tissue measurement configurations required by MedRadio, expressed in watts, where the gain is referenced to an isotropic radiator.

*FCC.* Federal Communications Commission.

*Filtering.* Refers to the requirement in § 95.633(b).

*FRS.* Family Radio Service.

*GMRS.* General Mobile Radio Service.

*GMRS transmitter.* A transmitter that operates or is intended to operate at a station authorized in the GMRS.

*Harmful interference.* Any transmission, radiation or induction that endangers the functioning of a radionavigation or other safety service or seriously degrades, obstructs or repeatedly interrupts a radiocommunication service operating in accordance with applicable laws, treaties and regulations.

*Mean power.* TP averaged over at least 30 cycles of the lowest modulating frequency, typically 0.1 seconds at maximum power.

*Medical body-worn device.* Apparatus that is placed on or in close proximity to the human body (e.g., within a few centimeters) for the purpose of performing diagnostic or therapeutic functions.

*Medical body-worn transmitter.* A MedRadio transmitter intended to be placed on or in close proximity to the human body (e.g., within a few centimeters) used to facilitate communications with other medical communications devices for purposes of delivering medical therapy to a patient or collecting medical diagnostic information from a patient.

*Medical implant device.* Apparatus that is placed inside the human body for the purpose of performing diagnostic or therapeutic functions.

*Medical implant event.* An occurrence or the lack of an occurrence recognized by a medical implant device, or a duly authorized health care professional, that requires the transmission of data from a medical implant transmitter in order to protect the safety or well-being of the person in whom the medical implant transmitter has been implanted.

*Medical implant transmitter.* A MedRadio transmitter in which both the antenna and transmitter device are designed to operate within a human body for the purpose of facilitating communications from a medical implant device.

*MedRadio programmer/control transmitter.* A MedRadio transmitter that operates or is designed to operate outside of a human body for the purpose of communicating with a receiver, or for triggering a transmitter, connected to a medical implant device or to a medical body-worn device used in the MedRadio Service; and which also typically includes a frequency monitoring system that

initiates a MedRadio communications session.

*MedRadio Service.* Medical Device Radiocommunication Service.

*MedRadio transmitter.* A transmitter authorized to operate in the MedRadio service.

*MURS.* Multi-Use Radio Service.

*Peak envelope power.* TP averaged during one RF cycle at the highest crest of the modulation envelope.

*R/C.* Radio Control Radio Service.

*R/C transmitter.* A transmitter that operates or is intended to operate at a station authorized in the R/C.

*RF.* Radio frequency.

*TP.* RF transmitter power expressed in W, either mean or peak envelope, as measured at the transmitter output antenna terminals.

*Transmitter.* Apparatus that converts electrical energy received from a source into RF energy capable of being radiated.

*W.* Watts.

[65 FR 60878, Oct. 13, 2000, as amended at 74 FR 22708, May 14, 2009]

## Subpart F—218–219 MHz Service

### GENERAL PROVISIONS

SOURCE: 57 FR 8275, Mar. 9, 1992, unless otherwise noted.

#### § 95.801 Scope.

This subpart sets out the regulations governing the licensing and operation of a 218–219 MHz system. This subpart supplements part 1, subpart F of this chapter, which establishes the requirements and conditions under which commercial and private radio stations may be licensed and used in the Wireless Telecommunications Services. The provisions of this subpart contain additional pertinent information for current and prospective licensees specific to the services governed by this part 95.

[64 FR 59659, Nov. 3, 1999]

#### § 95.803 218–219MHz Service description.

(a) The 218–219 MHz Service is authorized for system licensees to provide communication service to subscribers in a specific service area.

(b) The components of each 218–219 MHz Service system are its administrative apparatus, its response transmitter units (RTUs), and one or more cell transmitter stations (CTSs). RTUs

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may be used in any location within the service area. CTSs provide service from a fixed point, and certain CTSs must be individually licensed as part of a 218-219 MHz Service system. See § 95.811.

(c) Each 218-219 MHz Service system service area is one of the cellular system service areas as defined by the Commission, unless modified pursuant to § 95.823.

[66 FR 9218, Apr. 9, 2001]

### § 95.805 Permissible communications.

A 218-219 MHz Service system may provide any fixed or mobile communications service to subscribers within its service area on its assigned spectrum, consistent with the Commission's rules and the regulatory status of the system to provide services on a common carrier or private basis.

[64 FR 59660, Nov. 3, 1999]

### § 95.807 Requesting regulatory status.

(a) Authorizations for systems in the 218-219 MHz Service will be granted to provide services on a common carrier basis or a private (non-common carrier and/or private internal-use) basis.

(1) *Initial applications.* An applicant will specify on FCC Form 601 if it is requesting authorizations to provide services on a common carrier, non-common carrier or private internal-use basis, of a combination thereof.

(2) *Amendment of pending applications.* Any pending application may be amended to:

(i) Change the carrier status requested; or

(ii) Add to the pending request in order to obtain both common carrier and private status in a single license.

(3) *Modification of license.* A licensee may modify a license to:

(i) Change the carrier status authorized; or

(ii) Add to the status authorized in order to obtain both common carrier and private status in a single license. Applications to change, or add to, carrier status in a license must be submitted on FCC Form 601 in accordance with § 1.1102 of this chapter.

(4) *Pre-existing licenses.* Licenses granted before April 9, 2001, are authorized to provide services on a private (non-common carrier) basis. Licensees

may modify this initial status pursuant to paragraph (a)(3) of this section.

(b) An applicant or licensee may submit a petition at any time requesting clarification of the regulatory status required to provide a specific communications service.

[64 FR 59660, Nov. 3, 1999, as amended at 66 FR 9219, Feb. 7, 2001]

## SYSTEM LICENSE REQUIREMENTS

### § 95.811 License requirements.

(a) Each 218-219 MHz Service system must be licensed in accordance with part 1, subpart F of this chapter.

(b) Each CTS where the antenna does not exceed 6.1 meters (20 feet) above ground or an existing structure (other than an antenna structure) and is outside the vicinity of certain receiving locations (see § 1.924 of this chapter) is authorized under the 218-219 MHz System license. All other CTS must be individually licensed.

(c) All CTSs not meeting the licensing criteria under paragraph (b) of this section are authorized under the 218-219 MHz Service system license.

(d) Each component RTU in a 218-219 MHz Service system is authorized under the system license or if associated with an individually licensed CTS, under that CTS license.

(e) Each CTS (regardless of whether it is individually licensed) and each RTU must be in compliance with the Commission's environmental rules (see part 1, subpart I of this chapter) and the Commission's rules pertaining to the construction, marking and lighting of antenna structures (see part 17 of this chapter).

[57 FR 8275, Mar. 9, 1992, as amended at 57 FR 36373, Aug. 13, 1992; 63 FR 68977, Dec. 14, 1998; 64 FR 59660, Nov. 3, 1999; 66 FR 9219, Feb. 7, 2001]

### § 95.812 License term.

(a) The term of each 218-219 MHz service system license is ten years from the date of original grant or renewal.

(b) Licenses for individually licensed CTSs will be issued for a period running concurrently with the license of

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the associated 218–219 MHz Service system with which it is licensed.

[64 FR 59660, Nov. 3, 1999, as amended at 66 FR 9219, Feb. 7, 2001]

### **§ 95.813 Eligibility.**

(a) An entity is eligible to hold a 218–219 MHz Service system license and its associated individual CTS licenses if:

(1) The entity is an individual who is not a representative of a foreign government; or

(2) The entity is a partnership and no partner is a representative of a foreign government; or

(3) The entity is a corporation organized under the laws of the United States of America; or

(4) The entity is a trust and no beneficiary is a representative of a foreign government.

(b) An entity that loses its 218–219 MHz Service authorization due to failure to meet the construction requirements specified in § 95.833 of this part may not apply for a 218–219 MHz Service system license for three years from the date the Commission takes final action affirming that the 218–219 MHz Service license has been canceled.

[57 FR 8275, Mar. 9, 1992, as amended at 58 FR 25952, Apr. 29, 1993; 64 FR 59660, Nov. 3, 1999]

### **§ 95.815 License application.**

(a) In addition to the requirements of part 1, subpart F of this chapter, each application for a 218–219 MHz Service system license must include a plan analyzing the co- and adjacent channel interference potential of the proposed system, identifying methods being used to minimize this interference, and showing how the proposed system will meet the service requirements set forth in § 95.831 of this part. This plan must be updated to reflect changes to the 218–219 MHz Service system design or construction.

(b) In addition to the requirements of part 1, subpart F of this chapter, each request by a 218–219 MHz Service system licensee to add, delete, or modify technical information of an individually licensed CTS (see § 95.811(b) of this part) must include a description of the system after the proposed addition, deletion, or modifications, including the population in the service area, the

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number of component CTSs, and an explanation of how the system will satisfy the service requirements specified in § 95.831 of this part.

[63 FR 68977, Dec. 14, 1998, as amended at 64 FR 59660, Nov. 3, 1999]

### **§ 95.816 Competitive bidding proceedings.**

(a) Mutually exclusive initial applications for 218–219 MHz Service licenses are subject to competitive bidding. The general competitive bidding procedures set forth in part 1, subpart Q of this chapter will apply unless otherwise provided in this part.

(b) *Installment payments.* Eligible Licensees that elect resumption pursuant to Amendment of part 95 of the Commission's Rules to Provide Regulatory Flexibility in the 218–219 MHz Service, *Report and Order and Memorandum Opinion and Order*, FCC 99-239 (released September 10, 1999) may continue to participate in the installment payment program. Eligible Licensees are those that were current in installment payments (*i.e.* less than ninety days delinquent) as of March 16, 1998, or those that had properly filed grace period requests under the former installment payment rules. All unpaid interest from grant date through election date will be capitalized into the principal as of Election Day creating a new principal amount. Installment payments must be made on a quarterly basis. Installment payments will be calculated based on new principal amount as of Election Day and will fully amortize over the remaining term of the license. The interest rate will equal the rate for five-year U.S. Treasury obligations at the grant date.

(c) *Eligibility for small business provisions.* (1) A small business is an entity that, together with its affiliates and controlling interests, has average gross revenues not to exceed \$15 million for the preceding three years.

(2) A very small business is an entity that, together with its affiliates and controlling interests, has average gross revenues not to exceed \$3 million for the preceding three years.

(d) *Bidding credits.* A winning bidder that qualifies as a small business, as defined in this subsection, or a consortium of small businesses may use the

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bidding credit specified in § 1.2110(f)(2)(ii) of this chapter. A winning bidder that qualifies as a very small business, as defined in this section, or a consortium of very small businesses may use the bidding credit specified in accordance with § 1.2110(f)(2)(i) of this chapter.

(e) Winning bidders in Auction No. 2, which took place on July 28–29, 1994, that, at the time of auction, met the qualifications under the Commission's rules then in effect, for small business status will receive a twenty-five percent bidding credit pursuant to Amendment of part 95 of the Commission's Rules to Provide Regulatory Flexibility in the 218–219 MHz Service, Report and Order and Memorandum Opinion and Order, FCC 99–239 (released September 10, 1999).

[64 FR 59660, Nov. 3, 1999, as amended at 66 FR 9219, Feb. 7, 2001; 67 FR 45378, July 9, 2002; 68 FR 43001, July 21, 2003]

### § 95.819 License transferability.

(a) A 218–219 MHz Service system license, together with all of its component CTS licenses, may be transferred, assigned, sold, or given away only in accordance with the provisions and procedures set forth in § 1.948 of this chapter. For licenses acquired through competitive bidding procedures (including licenses obtained in cases of no mutual exclusivity), designated entities must comply with §§ 1.2110 and 1.2111 of this chapter (see § 1.948(a)(3) of this chapter).

(b) If the transfer, assignment, sale, or gift of a license is approved, the new licensee is held to the construction requirements set forth in § 95.833.

[66 FR 9219, Feb. 7, 2001]

### § 95.823 Geographic partitioning and spectrum disaggregation.

(a) *Eligibility.* Parties seeking Commission approval of geographic partitioning or spectrum disaggregation of 218–219 MHz Service system licenses shall request an authorization for partial assignment of license pursuant to § 1.948 of this chapter.

(b) *Technical standards—(1) Partitioning.* In the case of partitioning, requests for authorization of partial assignment of a license must include, as

attachments, a description of the partitioned service area and a calculation of the population of the partitioned service area and the licensed geographic service area. The partitioned service area shall be defined by coordinate points at every 3 seconds along the partitioned service area unless an FCC-recognized service area (*i.e.* Economic Areas) is utilized or county lines are followed. The geographic coordinates must be specified in degrees, minutes, and seconds, to the nearest second of latitude and longitude, and must be based upon the 1983 North American Datum (NAD83). In the case where an FCC-recognized service area or county lines are utilized, applicants need only list the specific area(s) (through use of FCC designations or county names) that constitute the partitioned area.

(2) *Disaggregation.* Spectrum maybe disaggregated in any amount.

(3) *Combined partitioning and disaggregation.* The Commission will consider requests for partial assignments of licenses that propose combinations of partitioning and disaggregation.

(c) *Provisions applicable to designated entities—(1) Parties not qualified for installment payment plans.* (i) When a winning bidder (partitionor or disaggregator) that elected to pay for its license through an installment payment plan partitions its license or disaggregates spectrum to another party (partitionee or disaggregatee) that would not qualify for an installment payment plan, or elects not to pay for its share of the license through installment payments, the outstanding principal balance owed by the partitionor or disaggregator shall be apportioned according to § 1.2111(e)(3) of this chapter. The partitionor or disaggregator is responsible for accrued and unpaid interest through and including the consummation date.

(ii) The partitionee or disaggregatee shall, as a condition of the approval of the partial assignment application, pay its entire *pro rata* amount of the outstanding principal balance on or before the consummation date. Failure to meet this condition will result in cancellation of the grant of the partial assignment application.

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(iii) The partitionor or disaggregator shall be permitted to continue to pay its pro rata share of the outstanding balance and, if applicable, shall receive loan documents evidencing the partitioning and disaggregation. The original interest rate, established pursuant to § 1.2110(g)(3)(i) of this chapter at the time of the grant of the initial license in the market, shall continue to be applied to the partitionor's or disaggregator's portion of the remaining government obligation.

(iv) A default on the partitionor's or disaggregator's payment obligation will affect only the partitionor's or disaggregator's portion of the market.

(2) Parties qualified for installment payment plans.

(i) Where both parties to a partitioning or disaggregation agreement qualify for installment payments, the partitionee or disaggregatee will be permitted to make installment payments on its portion of the remaining government obligation.

(ii) Each party may be required, as a condition to approval of the partial assignment application, to execute loan documents agreeing to pay its *pro rata* portion of the outstanding principal balance due, as apportioned according to § 1.2111(e)(3) of this chapter, based upon the installment payment terms for which it qualifies under the rules. Failure by either party to meet this condition will result in the automatic cancellation of the grant of the partial assignment application. The interest rate, established pursuant to § 1.2110(f)(3)(i) of this chapter at the time of the grant of the initial license in the market, shall continue to be applied to both parties' portion of the balance due. Each party will receive a license for its portion of the partitioned market.

(iii) A default on an obligation will affect only that portion of the market area held by the defaulting party.

(d) *Construction requirements*—(1) *Partitioning*. Partial assignors and assignees for license partitioning have two options to meet construction requirements. Under the first option, the partitionor and partitionee would each certify that they will independently satisfy the applicable construction requirements set forth in § 95.833 of this

part for their respective partitioned areas. If either licensee failed to meet its requirement in § 95.833 of this part, only the non-performing licensee's renewal application would be subject to dismissal. Under the second option, the partitionor certifies that it has met or will meet the requirement in § 95.833 of this part for the entire market. If the partitionor fails to meet the requirement in § 95.833 of this part, however, only its renewal application would be subject to forfeiture at renewal.

(2) *Disaggregation*. Partial assignors and assignees for license disaggregation have two options to meet construction requirements. Under the first option, the disaggregator and disaggregatee would certify that they each will share responsibility for meeting the applicable construction requirements set forth in § 95.833 of this part for the geographic service area. If parties choose this option and either party fails to do so, both licenses would be subject to forfeiture at renewal. The second option would allow the parties to agree that either the disaggregator or the disaggregatee would be responsible for meeting the requirement in § 95.833 of this part for the geographic service area. If parties choose this option, and the party responsible for meeting the construction requirement fails to do so, only the license of the non-performing party would be subject to forfeiture at renewal.

(3) All applications requesting partial assignments of license for partitioning or disaggregation must include the above-referenced certification as to which of the construction options is selected.

(4) Responsible parties must submit supporting documents showing compliance with the respective construction requirements within the appropriate construction benchmarks set forth in § 95.833 of this part.

[64 FR 59662, Nov. 3, 1999, as amended at 67 FR 46378, July 9, 2002]

**SYSTEM REQUIREMENTS****§ 95.831 Service requirements.**

Subject to the initial construction requirements of § 95.833 of this subpart,

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each 218-219 MHz Service system licensee must demonstrate that it provides substantial service within the service area. Substantial service is defined as a service that is sound, favorable, and substantially above a level of service which might minimally warrant renewal.

[64 FR 59662, Nov. 3, 1999]

**§ 95.833 Construction requirements.**

(a) Each 218-219 MHz Service licensee must make a showing of "substantial service" within ten years of the license grant. A "substantial service" assessment will be made at renewal pursuant to the provisions and procedures contained in § 1.949 of this chapter.

(b) Each 218-219 MHz Service licensee must file a report to be submitted to inform the Commission of the service status of its system. The report must be labeled as an exhibit to the renewal application. At minimum, the report must include:

(1) A description of its current service in terms of geographic coverage and population served;

(2) An explanation of its record of expansion, including a timetable of new construction to meet changes in demand for service;

(3) A description of its investments in its 218-219 MHz Service systems;

(4) A list, including addresses, of all component CTSs constructed; and

(5) Copies of all FCC orders finding the licensee to have violated the Communications Act or any FCC rule or policy; and a list of any pending proceedings that relate to any matter described in this paragraph.

(c) Failure to demonstrate that substantial service is being provided in the service area will result in forfeiture of the license, and will result in the licensee's ineligibility to apply for 218-219 MHz Service licenses for three years from the date the Commission takes final action affirming that the 218-219 MHz Service license has been canceled pursuant to § 95.813 of this part.

[64 FR 59662, Nov. 3, 1999]

**§ 95.835 Station identification.**

No RTU or CTS is required to transmit a station identification announcement.

**§ 95.837 Station inspection.**

Upon request by an authorized Commission representative, the 218-219 MHz Service system licensee must make any component CTS available for inspection.

**TECHNICAL STANDARDS****§ 95.851 Certification.**

Each CTS and RTU transmitter must be certificated for use in the 218-219 MHz Service in accordance with subpart J of part 2 of this chapter.

[63 FR 36611, July 7, 1998]

**§ 95.853 Frequency segments.**

There are two frequency segments available for assignment to the 218-219 MHz Service in each service area. Frequency segment A is 218.000-218.500 MHz. Frequency segment B is 218.501-219.000 MHz.

[64 FR 59663, Nov. 3, 1999]

**§ 95.855 Transmitter effective radiated power limitation.**

The effective radiated power (ERP) of each CTS and RTU shall be limited to the minimum necessary for successful communications. No CTS or fixed RTU may transmit with an ERP exceeding 20 watts. No mobile RTU may transmit with an ERP exceeding 4 watts.

[64 FR 59663, Nov. 3, 1999]

**§ 95.857 Emission standards.**

(a) All transmissions by each CTS and by each RTU shall use an emission type that complies with the following standard for unnecessary radiation.

(b) All spurious and out-of-band emissions shall be attenuated:

(1) Zero dB on any frequency within the authorized frequency segment.

(2) At least 28 dB on any frequency removed from the midpoint of the assigned frequency segment by more than 250 kHz up to and including 750 kHz;

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(3) At least 35 dB on any frequency removed from the midpoint of the assigned frequency segment by more than 750 kHz up to and including 1250 kHz;

(4) At least 43 plus  $10 \log_{10}$  (base 10) (mean power in watts) dB on any frequency removed from the midpoint of the assigned frequency segment by more than 1250 kHz.

(c) When testing for certification, all measurements of unnecessary radiation are performed using a carrier frequency as close to the edge of the authorized frequency segment as the transmitter is designed to be capable of operating.

(d) The resolution bandwidth of the instrumentation used to measure the emission power shall be 100 Hz for measuring emissions up to and including 250 kHz from the edge of the authorized frequency segment, and 10 kHz for measuring emissions more than 250 kHz from the edge of the authorized frequency segment. If a video filter is used, its bandwidth shall not be less than the resolution bandwidth. The power level of the highest emission within the frequency segment, to which the attenuation is referenced, shall be remeasured for each change in resolution bandwidth.

[57 FR 8275, Mar. 9, 1992, as amended at 63 FR 36611, July 7, 1998]

## **§ 95.859 Antennas.**

(a) The overall height from ground to topmost tip of the CTS antenna shall not exceed the height necessary to assure adequate service. Certain CTS antennas must be individually licensed to the 218-219 MHz System licensee (see § 95.811(b) of this part) and the antenna structures of which they are a part must be registered with the Commission (see part 17 of this chapter).

(b) [Reserved]

(c) The RTU may be connected to an external antenna not more than 6.1 m (20 feet) above ground or above an existing man-made structure (other than an antenna structure). Connectors that are used to connect RTUs to an external antenna shall not be of the types generally known as "F-type" or "BNC

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type." Use of an external antenna is subject to § 95.861.

[57 FR 36373, Aug. 13, 1992, as amended at 64 FR 59663, Nov. 3, 1999]

## **§ 95.861 Interference.**

(a) When a 218-219 MHz Service system suffers harmful interference within its service area or causes harmful interference to another 218-219 MHz Service system, the licensees of both systems must cooperate and resolve the problem by mutually satisfactory arrangements. If the licensees are unable to do so, the Commission may impose restrictions including, but not limited to, specifying the transmitter power, antenna height or area, duty cycle, or hours of operation for the stations concerned.

(b) The use of any frequency segment (or portion thereof) at a given geographical location may be denied when, in the judgment of the Commission, its use in that location is not in the public interest; the use of a frequency segment (or portion thereof) specified for the 218-219 MHz Service system may be restricted as to specified geographical areas, maximum power, or other operating conditions.

(c) A 218-219 MHz Service licensee must provide a copy of the plan required by § 95.815 (a) of this part to every TV Channel 13 station whose Grade B predicted contour overlaps the licensed service area for the 218-219 MHz Service system. The 218-219 MHz Service licensee must send the plan to the TV Channel 13 licensee(s) within 10 days from the date the 218-219 MHz Service submits the plan to the Commission, and the 218-219 MHz Service licensee must send updates to this plan to the TV Channel 13 licensee(s) within 10 days from the date that such updates are filed with the Commission pursuant to § 95.815.

(d) Each 218-219 MHz Service system licensee must provide upon request, and install free of charge, an interference reduction device to any household within a TV Channel 13 station Grade B predicted contour that experiences interference due to a component CTS or RTU.

(e) Each 218-219 MHz Service system licensee must investigate and eliminate harmful interference to television

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broadcasting and reception, from its component CTSs and RTTs, within 30 days of the time it is notified in writing, by either an affected television station, an affected viewer, or the Commission, of an interference complaint. Should the licensee fail to eliminate the interference within the 30-day period, the CTS(s) or RTT(s) causing the problem(s) must discontinue operation.

(f) The boundary of the 218-219 MHz Service system, as defined in its authorization, is the limit of interference protection for that 218-219 MHz Service system.

[64 FR 59663, Nov. 3, 1999, as amended at 66 FR 9219, Feb. 7, 2001]

### Subpart G—Low Power Radio Service (LPRS)

SOURCE: 61 FR 46569, Sept. 4, 1996, unless otherwise noted.

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##### § 95.1001 Eligibility.

An entity is authorized by rule to operate a LPRS transmitter and is not required to be individually licensed by the FCC if it is not a representative of a foreign government and if it uses the transmitter only in accordance with § 95.1009. Each entity operating a LPRS transmitter for AMTS purposes must hold an AMTS license under part 80 of this chapter.

##### § 95.1003 Authorized locations.

LPRS operation is authorized:

- (a) Anywhere CB station operation is permitted under § 95.405(a); and
- (b) Aboard any vessel or aircraft of the United States, with the permission of the captain, while the vessel or aircraft is either travelling domestically or in international waters or airspace.

(c) Anyone intending to operate an LPRS transmitter on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines,

which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: [prcz@naic.edu](mailto:prcz@naic.edu).

(1) The notification to the Interference Office, Arecibo Observatory shall be made 45 days prior to commencing operation of the transmitter. The notification shall state the geographical coordinates of the unit.

(2) After receipt of such notifications, the Commission will allow the Arecibo Observatory a period of 20 days for comments or objections. The operator will be required to make reasonable efforts in order to resolve or mitigate any potential interference problem with the Arecibo Observatory. If the Commission determines that an operator has satisfied its responsibility to make reasonable efforts to protect the Observatory from interference, the unit may be allowed to operate.

[61 FR 46569, Sept. 4, 1996, as amended at 62 FR 55536, Oct. 27, 1997; 70 CFR 31374, June 1, 2005]

##### § 95.1005 Station identification.

An LPRS station is not required to transmit a station identification announcement.

##### § 95.1007 Station inspection.

All LPRS system apparatus must be made available for inspection upon request by an authorized FCC representative.

##### § 95.1009 Permissible communications.

LPRS stations may transmit voice, data, or tracking signals as permitted in this section. Two-way voice communications are prohibited.

(a) Auditory assistance communications (including but not limited to applications such as assistive listening devices, audio description for the blind, and simultaneous language translation) for:

(1) Persons with disabilities. In the context of the LPRS, the term "disability" has the meaning given to it by section 3(2)(A) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2)(A)), i.e., persons with a physical or mental impairment that substantially limits one or more of the major life activities of such individuals;