

## §96.5

## 47 CFR Ch. I (10–1–15 Edition)

is used by the SAS to determine frequency availability and maximum transmit power limits for CBSDs.

*General Authorized Access (GAA) User.* An authorized user of one or more CBSDs operating on a General Authorized Access basis, consistent with subpart D of this part.

*Grandfathered wireless broadband licensee.* A licensee authorized to operate in the 3650–3700 MHz band consistent with §90.1338 of this chapter.

*Grandfathered wireless protection zone.* A geographic area and frequency range in which Grandfathered Wireless Broadband Licensees will receive protection from Citizens Broadband Radio Service transmissions and defined using methodology determined by the Wireless Telecommunications Bureau and Office of Engineering and Technology.

*Incumbent user.* A federal entity authorized to operate on a primary basis in accordance with the table of frequency allocations, fixed satellite service operator, or Grandfathered Wireless Broadband Licensee authorized to operate on a primary basis on frequencies designated in §96.11.

*License area.* The geographic component of a PAL. Each License Area consists of one Census Tract.

*Mobile station.* A device intended to be used while in motion or during halts at unspecified points.

*Portable station.* A device designed to be used within 20 centimeters of the body of the user.

*Priority Access License (PAL).* A license to operate on a Priority Access basis, consistent with subpart C of this part.

*Priority access licensee.* A holder of one or more PALs. Priority Access Licensees shall be entitled to protection from General Authorized Access Users and other Priority Access Licensees within the defined temporal, geographic, and frequency limits of their PAL, consistent with the rules set forth in this part.

*Protection zone.* A geographic area wherein CBSDs may operate only with the permission of an approved SAS and ESC.

*Rural area.* For purposes of this part, any Census Tract which is not located within, or overlapping:

(1) A city, town, or incorporated area that has a population of greater than 20,000 inhabitants; or

(2) An urbanized area contiguous and adjacent to a city or town that has a population of greater than 50,000 inhabitants.

*Service area.* One or more contiguous License Areas held by the same Priority Access Licensee.

*Spectrum Access System (SAS).* A system that authorizes and manages use of spectrum for the Citizens Broadband Radio Service in accordance with subpart F of this part.

*Spectrum Access System (SAS) administrator.* An entity authorized by the Commission to operate an SAS in accordance with the rules and procedures set forth in §96.63.

### §96.5 Eligibility.

Any entity, other than those precluded by Section 310 of the Communications Act of 1934, as amended, 47 U.S.C. 310, and otherwise meets the technical, financial, character, and citizenship qualifications that the Commission may require in accordance with such Act is eligible to be a Priority Access Licensee or General Authorized Access User under this part; provided further, that no entity barred by 47 U.S.C. 1404 is eligible to be a Priority Access Licensee.

### §96.7 Authorization required.

(a) CBSDs and End User Devices must be used and operated consistent with the rules in this part.

(b) Authorizations for PALs may be granted upon proper application, provided that the applicant is qualified in regard to citizenship, character, financial, technical and other criteria established by the Commission, and that the public interest, convenience and necessity will be served. See 47 U.S.C. 301, 308, 309, and 310. The holding of an authorization does not create any rights beyond the terms, conditions, and period specified in the authorization and shall be subject to the provisions of the Communications Act of 1934, as amended, and the Commission's rules and policies thereunder.

(c) Grandfathered Wireless Broadband Licensees are authorized to