

statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated today does not include a federal mandate that may result in estimated costs of \$100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under state or local law, and imposes no new federal requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

#### *D. Small Business Regulatory Enforcement Fairness Act*

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### *E. Executive Order 12866*

The Office of Management and Budget has exempted this action from review under Executive Order 12866.

#### List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: August 9, 1996.

Felicia Marcus,

*Regional Administrator.*

Part 70, title 40 of the Code of Federal Regulations is amended as follows:

#### **PART 70—[AMENDED]**

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

2. Appendix A to part 70 is amended by adding paragraph (dd) to the entry for California to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

\* \* \* \* \*

(dd) *South Coast Air Quality Management District*: submitted on December 27, 1993 and amended on March 6, 1995, April 11, 1995,

September 26, 1995, April 24, 1996, May 6, 1996, May 23, 1996, June 5, 1996 and July 29, 1996; approval effective on October 28, 1996 unless adverse or critical comments are received by September 30, 1996.

\* \* \* \* \*

[FR Doc. 96-21950 Filed 8-28-96; 8:45 am]

BILLING CODE 6560-50-P

#### **40 CFR Part 300**

[FRL-5560-6]

#### **National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Deletion of the Leetown Pesticide Site in Leetown, Jefferson County, West Virginia, from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region III announces the deletion of the Leetown Pesticide site (Site) located in Jefferson County, West Virginia, from the National Priorities List (NPL). The NPL constitutes Appendix B to 40 CFR Part 300. Part 300 comprises the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and the West Virginia Division of Environmental Protection have determined that all appropriate CERCLA actions have been implemented and that the Site poses no significant threat to public health or the environment. Therefore, further remedial measures pursuant to CERCLA are not needed.

**EFFECTIVE DATE:** August 29, 1996.

**FOR FURTHER INFORMATION CONTACT:** Melissa Whittington (3HW23), Remedial Project Manager, U.S. EPA Region III, 841 Chestnut Building, Philadelphia, PA, 19107, (215) 566-3235.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: the Leetown Pesticide Site, Leetown, Jefferson County, West Virginia.

A Notice of Intent to Delete this Site was published on June 14, 1996 in the Federal Register (56 FR 11597). The closing date for comments on the Notice of Intent to Delete was July 15, 1996. EPA did not receive any comments on the proposed deletion.

EPA identifies sites that appear to present a significant risk to public health or the environment and maintains the NPL as the list of those

sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substances Superfund Response Trust Fund (Fund). Pursuant to 40 CFR 300.425(e)(3), any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action in the future. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: August 20, 1996.

W. Michael McCabe,

*Regional Administrator, U.S. EPA Region 3.*

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

#### **PART 300—[AMENDED]**

1. The authority citation for Part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

#### **Appendix B—[Amended]**

2. Table 1 of Appendix B to part 300 is amended by removing the Leetown Pesticide site, Leetown, West Virginia.

[FR Doc. 96-21824 Filed 8-28-96; 8:45 am]

BILLING CODE 6560-50-P

#### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Parts 2, 22, 24, and 90**

[WT Docket No. 96-6; FCC 96-283]

#### **Flexible Service Offerings in the Commercial Mobile Radio Services**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this First Report and Order in WT Docket No. 96-6, the Commission amends its rules to allow providers of narrowband and broadband Personal Communications Services (PCS), cellular, CMRS Specialized Mobile Radio (SMR), and CMRS paging, CMRS 220 MHz service, and for-profit interconnected business radio services to offer fixed wireless services on their

assigned spectrum on a co-primary basis with mobile services. The rule amendments are necessary to respond to the strong support to flexible services show in the initial Notice of Proposed Rule Making.

**EFFECTIVE DATE:** October 28, 1996.

**FOR FURTHER INFORMATION CONTACT:**

David Krech, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-0620.

**SUPPLEMENTARY INFORMATION:** The First Report and Order and Further Notice of Proposed Rule Making in WT Docket No. 96-6, adopted on June 27, 1996, and released on August 1, 1996, is available for inspection and copying during normal business hours in the FCC Reference Center, Room 575, 2000 M Street N.W., Washington, D.C. The complete text may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street N.W., Suite 140, Washington, D.C. 20037, (202) 857-3800.

## Summary of Action

### I. Introduction & Executive Summary

1. In the Notice of Proposed Rule Making in WT Docket No. 96-6 ("NPRM") (Amendment of the Commission's Rules to Permit Flexible Service Offerings in the Commercial Mobile Radio Services, Notice of Proposed Rule Making, WT Docket No. 96-6, 11 FCC Rcd 2445 (1996)), 61 FR 6189 (February 16, 1996), we sought comment on proposals for expanding permitted offerings of fixed wireless service by Commercial Mobile Radio Service ("CMRS") providers. In addition, we sought comment with regard to the regulatory treatment for such services under Section 332 of the Communications Act of 1934, as amended, 47 U.S.C. § 332. We received 52 comments and 22 reply comments in response to the Notice. That record shows strong support for allowing the provision of fixed wireless services by licensees operating in the CMRS bands. In this First Report and Order, we conclude that, while licensees previously could provide some fixed services over CMRS spectrum, the public interest would be served by giving licensees maximum flexibility in the uses of CMRS spectrum. Allowing service providers to offer all types of fixed, mobile, and hybrid services will allow CMRS providers to better respond to market demand and increase competition in the provision of telecommunications services.

2. We therefore amend our rules to allow providers of narrowband and broadband Personal Communications

Services (PCS), cellular, CMRS Specialized Mobile Radio (SMR), CMRS paging, CMRS 220 MHz service, and for-profit interconnected business radio services to offer fixed wireless services on their assigned spectrum on a co-primary basis with mobile services. Specifically,

- We conclude that fixed services, excluding broadcast services, are permissible service offerings on spectrum allocated for broadband and narrowband CMRS.
- We modify our CMRS service rules to allow spectrum allocated to these services to be used on a co-primary basis for fixed services, mobile services, or any combination of the two, and we eliminate the classification of fixed services as limited to auxiliary or ancillary uses in these bands.
- We maintain the technical rules currently in place for CMRS and require licensees who wish to offer co-primary fixed services on CMRS spectrum to comply with those rules.
- We refer universal service issues that may arise from our decisions in this Report and Order to the Commission's pending universal service proceeding, CC Docket No. 96-45. (Federal-State Joint Board on Universal Service, Notice of Proposed Rule Making and Order Establishing Joint Board, CC Docket No. 96-45, FCC 96-93 (released March 8, 1996) [61 FR 10499 (March 14, 1996)].)

### II. First Report and Order

#### A. Flexible Use of CMRS Spectrum

3. *Discussion.* The record supports our observation in the Notice that sufficient uncertainty exists in our current rules to warrant clarification with regard to the provision of fixed services over spectrum allocated for CMRS. Rather than continuing to define allowable fixed services in terms of whether they are "ancillary," "auxiliary," or "incidental" to mobile services, we conclude that our rules should more broadly allow fixed services to be provided on a co-primary basis with mobile services.

4. As a threshold matter, we note that the record in this proceeding strongly supports our proposal to encourage the provision of fixed services by licensees operating in the CMRS bands. Commenters have provided several examples of potential applications of fixed wireless technology. For example, fixed wireless systems can be imbedded into PBXs and local area networks to permit continued service even when wireline service is interrupted due to weather or other emergencies. Call routing may become more efficient by allowing CMRS providers to offer fixed

wireless services. Omnipoint suggests that fixed wireless links could be used to provide "local loop" to apartment buildings, office buildings, and older homes where rewiring costs are high. Nortel envisions a variety of "fixed wireless access" services coming into homes and residences that would provide an alternative to end-to-end wiring by the carrier from the switch to the end user.

5. We agree with the many commenters that support the Commission's proposal to allow CMRS providers to offer fixed wireless services. We believe that the public interest is better served by not attempting to limit potential use of CMRS spectrum to specific applications. We agree with SBC Communications that imposing such a limitation could lead to difficult definitional questions about what constitutes "wireless local loop" or other defined services. For example, Nortel's concept of fixed wireless access includes not just low-power wireless "drops" from the street to the home, but also fixed wireless architectures that would link end users to the public switched network through cellular switches, and remote base stations (in rural areas). If we were to restrict fixed service to certain configurations, Nortel and other carriers might be reluctant to pursue some potentially efficient options out of concern that they would be considered to fall outside the definition of our prescribed service definition. Rather than limit the flexibility of carriers in this manner, we prefer to encourage innovation and experimentation through a broader, more flexible standard.

6. In the NPRM, we sought comment on whether allowing CMRS providers to provide fixed services without restriction could result in limiting capacity for mobile services. In that regard, we observed that current technology supports use of spectrum to provide mobile service only below the 3 GHz band, while fixed uses are feasible on higher bands. Based on the record, we conclude that this need not be a concern. First, with the advent of PCS and other new CMRS services, we have significantly increased the amount of spectrum available for mobile services over what was available previously. Second, carriers are using advanced technology. Third, nothing in the record suggests that giving licensees who provide CMRS services the flexibility to offer fixed service would make them less responsive to market demand for mobile service.

7. For these reasons, we conclude that licensees should have maximum

flexibility to provide fixed or mobile services or combinations of the two over spectrum allocated for CMRS services, including PCS, cellular, and SMR services. We believe that limitations on fixed uses are unnecessary because the market is the best predictor of the most desirable division of this spectrum. We are concerned that regulatory restrictions on use of the spectrum could impede carriers from anticipating what services customers most need, and could result in inefficient spectrum use and reduced technological innovation. Allowing service providers to offer all types of fixed, mobile, and hybrid services in response to market demand will allow for more flexible responses to consumer demand, a greater diversity of services and combinations of services, and increased competition. This is consistent with the goals of the Telecommunication Act of 1996 Act, Public Law No. 104-104, 110 Stat. 56 (1996) (1996 Act) which seeks to increase competition between the various providers of telecommunications services, including competitive alternatives to traditional local exchange service. All consumers will also benefit from technological advances in fixed services and fixed/mobile combinations that potentially could be stifled by restrictive service definitions.

8. In the NPRM we proposed to increase flexibility to provide fixed wireless service for broadband CMRS services—broadband PCS, cellular, SMR. We sought comment on whether narrowband CMRS services—paging, narrowband PCS, commercial 220 MHz service and for profit interconnected Business Radio Service—should also be permitted greater flexibility to offer fixed wireless services. We agree with commenters that we should extend the flexibility to offer fixed services to the narrowband services set out in the NPRM as well as broadband CMRS. In the CMRS Third Report and Order, 59 FR 59945 (November 21, 1994), we found that narrowband and broadband CMRS are potentially competitive with one another and should be subject to comparable regulation. We conclude that subjecting narrowband licensees to more stringent regulatory constraints than broadband CMRS providers would be inconsistent with principles of regulatory parity and serves no public interest goal. By contrast, allowing narrowband CMRS providers to provide fixed services on the same basis as broadband CMRS providers provides incentives for increased innovation, diversity of services, and increased competition. Although there may be

technical constraints on the ability to provide fixed service on narrowband channels, we conclude that narrowband licensees should nevertheless be entitled to the regulatory flexibility so that they may take advantage of technological advances that may occur without being required to seek additional changes to the rules. This result is also in keeping with the goals of the 1996 Act to make available the most competitive environment possible for telecommunications services.

9. For the foregoing reasons, we conclude that service providers using spectrum allocated for CMRS should have the flexibility to provide fixed services on a co-primary basis with mobile services. Thus, service providers could choose to provide exclusively fixed services, exclusively mobile services, or any combination of the two. (Cellular carriers are subject to the requirements set out in Sections 22.901 and 22.933 of our rules, to provide cellular mobile service upon request to all cellular subscribers in good standing, except in instances where a cellular provider chooses to provide solely fixed service over its spectrum. See 47 CFR §§ 22.901, 22.933.) Accordingly, we modify the language in Section 22.901 of the Commission's rules (cellular service), Section 24.3 of the Commission's rules (PCS), and Section 90.419 of the Commission's rules (SMR) to establish a uniform description of fixed wireless services that may be offered on this spectrum. We adopt the same modifications to our rules governing narrowband CMRS, including paging, narrowband PCS, 220 MHz service, and for profit interconnected Business Radio Services.

10. In adopting these modifications, we retain the prohibition on licensees in these services offering broadcast services. This prohibition applies regardless of whether licensees are offering fixed or mobile services or a combination of the two. In addition, we note that under applicable international allocation agreements, broadcast use of the spectrum at issue in this proceeding is restricted. Therefore, we conclude it would be inappropriate to amend our rules in this regard.

#### *B. Technical and Operational Rules*

11. *Discussion.* The comments that we received regarding the technical rules indicate that we should maintain the technical rules that are currently in place and require CMRS providers who wish to offer co-primary fixed services to comply with those rules. We agree with SBC that fixed services should be engineered so that they conform to our existing interference rules and do not

interfere with the operations of co-channel or adjacent channel carriers providing mobile service. Thus, so long as out-of-band and co-channel/frequency-block criteria are met, base stations used to support fixed services may operate at the same maximum power levels as base and mobile stations on the same frequencies. We also decline to adopt the specific rule changes proposed by PacTel relating to in-home base stations. The issue raised by PacTel is outside the scope of this proceeding. We will also defer consideration of the cellular rule changes requested by RCC and SR Telecom. We intend to consider technical concerns regarding CMRS, including those discussed above, in future proceedings that will more broadly address conforming our technical rules for CMRS providers.

#### *C. Table of Frequency Allocations*

12. *Discussion.* We will amend the Table of Frequency Allocations as proposed in the Notice to permit licensees to make use of the affected allocations for both fixed and mobile services on a co-primary basis. Specifically, we allocate the 27.41–27.54, 30.56–32, 33–34, 35–36, 42–43.69, 150.8–152.855, 154–156.2475, 157.45–161.575, 220–222, 454–455, 456–462.5375, 462.7375–467.5375, 467.7375–512, 806–821, 824–849, 851–866, 869–894, 896–901, 929–930, 931–932 and 935–940 MHz bands to the fixed service on a co-primary basis. (The 220–222 MHz band is shared Government/non-Government spectrum. During our consultations with NTIA regarding this band, the Commission and NTIA agreed to allocate the 220–222 MHz band to the fixed service on a co-primary basis for both Government and non-Government operations. Accordingly, the fixed service is also added to the Government column in the 220–222 MHz band on a co-primary basis.) In addition, we delete footnotes US330 and US331, which prohibited narrowband and broadband PCS licensees from providing fixed services, except for ancillary fixed services used in support of mobile PCS.

13. Further, we are updating the international table of the Table of Frequency Allocations to reflect the Final Acts of the 1992 World Administrative Radio Conference. Additionally, we are removing international footnote 613 from the 157.45–158.115 MHz band and footnote NG153 from the 849–851 and 894–896 MHz bands, which are bands to which these footnotes do not apply. With regard to the rule part cross references, we are updating the title of Part 22 to

Public Mobile (from Domestic Public Land Mobile) in the 35.19–35.69, 43.19–43.69, 152–152.255, 152.495–152.855, 157.755–162.0125, 454–455, 459–460, 470–512, 824–849, 869–894, 928–929, 931–932 and 944–960 MHz bands; displaying the rule parts in the 173.2–173.4 and 1850–1990 MHz bands in capital letters to indicate that the allocations in these bands are on a primary basis; updating the PCS rule part to Part 24 (from Part 99) in the 901–902, 930–931 and 940–941 MHz bands; adding Part 22 to the 851–866 MHz band, Parts 22 and 101 to the 932–935 and 941–942 MHz bands, and Part 101 in the 942–944 MHz band; replacing Part 94 with Part 101 in the 928–929, 944–960 and 1850–1990 MHz bands; and deleting Satellite Communications (25) from the 450–451 MHz band, Domestic Public Land Mobile (22) from the 929–930 MHz band and Private Land Mobile (90) from the 931–932 MHz band. Finally, we are revising the Government column in the 30–30.56 MHz band by displaying the fixed service as a primary—not secondary—allocation; correcting typographical errors in the 42–43.19 MHz band for columns 4 through 6; and adding footnotes US116, US215, US268 and G2 to the Government column in the 928–932 MHz band.

#### D. Universal Service Obligations

14. *Discussion.* We believe that it would be premature to address in this Report and Order whether universal service requirements should be extended to CMRS providers offering fixed wireless service. It is also apparent both from our experience with universal service issues and the comments in response to the NPRM that the public interest would be better served by allowing the Joint Board to address the universal service issues raised in this proceeding. Thus, we defer discussion of the proposals discussed by commenters in response to the NPRM for consideration by the Joint Board in CC Docket No. 96–45.

### III. Procedural Matters

#### A. Regulatory Flexibility Act

15. As required by Section 603 of the Regulatory Flexibility Act, 5 U.S.C. § 603 (RFA), an Initial Regulatory Flexibility Analysis (IRFA) was incorporated in the Notice of Proposed Rule Making in WT Docket No. 96–6. Amendment of the Commission's Rules to Permit Flexible Service Offerings in the Commercial Mobile Radio Services, Notice of Proposed Rule Making, WT Docket No. 96–6, 11 FCC Rcd 2445 (1996). The Commission sought written

comments on the proposals in the NPRM, including the IRFA. The Commission's Final Regulatory Flexibility Analysis for the First Report and Order conforms to the RFA, as amended by the Contract With America Advancement Act of 1996. Public Law No. 104–121, 110 Stat. 847 (1996) (CWAA. Subtitle II of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) codified at 5 U.S.C. § 601 *et seq.* The Secretary shall send a copy of this First Report and Order and Further Notice of Proposed Rule Making, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act. Public Law No. 96–354, 94 Stat. 1164, 5 U.S.C. § 601 *et seq.* (1981).

#### 1. Need for and Purpose of the Action

16. The First Report and Order has implemented Sections 332 and 3(n), respectively, of the Communications Act of 1934, as amended. The rules adopted herein will carry out Congress' intent to establish a consistent regulatory framework for all commercial mobile radio services (CMRS). In addition, the rules adopted herein will assist in the development of competition among wireless and wireline services for the benefit of the consumer.

#### 2. Issues Raised in Response to the IRFA

17. No comments were submitted in response to the IRFA. In general comments on the Notice of Proposed Rule Making, however, some commenters raised issues that might affect small business entities. One commenter, PCS One, a small business entity, argued that the proposed flexibility to offer fixed services should not be extended to cellular at this time in order to give Personal Communications Services (PCS) licensees, many of whom are small business entities, an opportunity to enter the marketplace and establish themselves against incumbent cellular providers. Some other parties agreed that if the Commission should make a distinction between broadband CMRS providers, it should allow PCS providers the greatest flexibility. The Commission chooses to provide all CMRS providers with the increased flexibility. Granting all CMRS providers increased flexibility to provide fixed wireless services is consistent with principles of regulatory parity, will allow all CMRS providers to determine the services that they will provide to the

public, and will increase competition between the CMRS services.

#### 3. Description, and Number of Small Entities Involved

18. This rule making proceeding applies to providers of cellular, narrowband and broadband personal communications services (PCS), CMRS specialized mobile radio services (SMR), CMRS paging, commercial 220 MHz services, and for-profit interconnected business radio services. Since this rule making proceeding applies to multiple services, we will analyze the effects of these rules on a service-by-service basis.

#### a. Estimates for Cellular Licensees

19. Since the Commission did not define a small business with respect to cellular services, we will utilize the Small Business Administration's (SBA) definition applicable to radiotelephone companies—i.e. an entity employing less than 1,500 persons. 13 CFR § 121.201, Standard Industrial Classification (SIC) Code 4812. The size data provided by the SBA does not enable us to make a meaningful estimate of the number of cellular providers which are small entities because it combines all radiotelephone companies with 500 or more employees. U.S. Small Business Administration 1992 Economic Census Employment Report, Bureau of the Census, U.S. Department of Commerce, SIC Code 4812 (radiotelephone communications industry data adopted by the SBA Office of Advocacy). We therefore used the 1992 Census of Transportation, Communications, and Utilities, conducted by the Bureau of the Census, which is the most recent information available. Data from the Bureau of the Census' 1992 study indicates that only 12 out of a total of 1,178 radiotelephone firms which operated during 1992 had 1,000 or more employees. U.S. Bureau of the Census, U.S. Department of Commerce, 1992 Census of Transportation, Communications, and Utilities, UC92–S–1, Subject Series, Establishment and Firm Size, Table 5, Employment Size of Firms; 1992, SIC Code 4812 (issued May 1995). However, we do not know how many of the 1,178 firms were cellular telephone companies. Given this fact, we assume, for purposes of our evaluations and conclusions in this Final Regulatory Flexibility Analysis, that all of the current cellular licensees are small entities, as that term is defined by the SBA. Although there are 1,758 cellular licenses, we are unable to determine the number of cellular licensees because a single cellular licensee may own several licenses.

## b. Estimates for PCS Services

20. The Commission, with respect to narrowband and broadband PCS, defines small businesses to mean firms who have gross revenues of not more than \$40 million in each of the preceding three calendar years. This definition of "small entity" in the context of the PCS services has been approved by the SBA.

21. The Commission has auctioned broadband PCS licenses in Blocks A, B, and C. The Commission does not have sufficient information to determine whether any small businesses within the SBA-approved definition bid successfully for licenses A or B Block auctions. As of now, there are 90 non-defaulting winning bidders that qualify as small entities in the C Block PCS auctions. Based on this information, we conclude that the number of broadband PCS licensees affected by the rule adopted in this proceeding includes the 89 winning bidders that qualified as small entities in the Block C broadband PCS auction.

22. At present, there have been no auctions held for the D, E, and F Blocks of broadband PCS spectrum. The Commission anticipates a total of 1,479 licenses will be awarded in the D, E, and F Block PCS auctions, which are scheduled to begin on August 26, 1996. Participation in the F block is limited to entrepreneurs with under \$125 million in average gross revenues over the past three years. However, there is no basis upon which to estimate the number of licenses that will be awarded to small entities. Given the facts that nearly all radiotelephone companies have fewer than 1,000 employees and that no reliable estimate of the number of prospective D, E, and F Block licensees can be made, we assume, for purposes of our evaluations and conclusion in this Final Regulatory Flexibility Analysis, that all of the licenses will be awarded to small entities, as that term is defined by the SBA.

23. The Commission has auctioned nationwide and regional licenses for narrowband PCS. There are 11 nationwide and 30 regional licensees for narrowband PCS. The Commission does not have sufficient information to determine whether any of these licensees are small businesses within the SBA-approved definition. Based on this information, we conclude that the number of narrowband PCS licensees affected by the rule adopted in this proceeding includes all of the 41 licensees. At present, there have been no auctions held for the major trading area (MTA) and basic trading area (BTA) narrowband PCS licenses. The

Commission anticipates a total of 561 MTA licenses and 2,958 BTA licensees will be awarded in the auctions. Those auction have not yet been scheduled, however. Given the facts that nearly all radiotelephone companies have fewer than 1,000 employees and that no reliable estimate of the number of prospective MTA and BTA narrowband licensees can be made, we assume, for purposes of our evaluations and conclusion in this Final Regulatory Flexibility Analysis, that all of the licenses will be awarded to small entities, as that term is defined by the SBA.

## c. Estimates for SMR Services

24. The Commission, with respect to 800 MHz and 900 MHz SMR services, has adopted a two-tiered approach to the definition of small business: (a) "very small businesses" are firms who have gross revenues of not more than \$3 million in each of the preceding three calendar years; and (b) "small businesses" are firms who have annual gross revenues of not more than \$15 million in each of the preceding three years. This definition of "small entity" in the context of 800 MHz and 900 MHz SMR has been approved by the SBA.

25. The Commission recently held auction for the 900 MHz SMR services. There were 60 winning bidders who qualified as small entities. Based on this information, we conclude that the number of 900 MHz SMR licensees affected by the proceeding includes these 60 small entities.

26. No auctions have been held for the 800 MHz SMR services. While the Commission anticipates a total of 525 licenses awarded for the upper 200 channels in the 800 MHz auctions, it has not yet determined how many licenses will be awarded for the lower 230 channels in the 800 MHz SMR auction. Despite the current incumbents in the 800 MHz SMR service, due to the impending auction, we are unable to determine the ultimate number of small businesses who will receive licenses. Given the facts that nearly all radiotelephone companies have fewer than 1,000 employees and that no reliable estimate of the number of prospective 800 MHz licensees can be made, we assume, for purposes of our evaluations and conclusions in this Final Regulatory Flexibility Analysis, that all of the licenses will be awarded to small entities, as that term is defined by the SBA.

## d. Commercial Paging and Commercial 220 MHz Radio Services

27. Since the Commission has not yet defined a small business with respect to paging services, we will utilize the SBA's definition applicable to radiotelephone companies—i.e. an entity employing less than 1,500 persons. With respect to commercial 220 MHz services, the Commission has proposed a two-tiered definition of small business for purposes of auctions: (1) for EA licensees (EA licenses refer to the 60 channels in the 172 geographic economic areas as defined by the Bureau of Economic Analysis, Department of Commerce), a firm with average annual gross revenues of not more than \$6 million for the preceding three years and (2) for regional and nationwide licensees, a firm with average annual gross revenues of not more than \$15 million for the preceding 3 years. Since this definition has not yet been approved by the SBA, we will utilize the SBA's definition applicable to radiotelephone companies. We note that while there are incumbents in this service, they are not commercial providers and will not be affected by this proceeding. Since there have been no auctions for either service as of yet and the parameters of the industry have not been fully defined, any estimate of the number of small businesses who will seek to bid in the future auctions is not yet determined. Given the fact that nearly all radiotelephone companies have fewer than 1,000 employees, and that no reliable estimate of the number of prospective licensees can be made, we assume, for purposes of our evaluations and conclusion in this Final Regulatory Flexibility Analysis, that all of the licenses will be awarded to small entities, as that term is defined by the SBA.

## e. Interconnected Business Services

28. Since the Commission did not define a small business with respect to for-profit interconnected business services, we will utilize the SBA's definition applicable to radiotelephone companies—i.e. an entity employing less than 1,500 persons. The size data provided by the SBA does not enable us to make a meaningful estimate of the number of for-profit interconnected business service providers which are small entities because it combines all radiotelephone companies with 500 or more employees. We therefore used the 1992 Census of Transportation, Communications, and Utilities, conducted by the Bureau of the Census, which is the most recent information available. Data from the Bureau of the

Census' 1992 study indicates that only 12 out of a total of 1,178 radiotelephone firms which operated during 1992 had 1,000 or more employees. However, we do not know how many of the 1,178 firms were for-profit interconnected business service companies. Given this fact, we assume, for purposes of our evaluations and conclusions in this Final Regulatory Flexibility Analysis, that all of the current inter-connected business service licensees are small entities, as that term is defined by the SBA. Although there are in excess of 13,000 for-profit interconnected business service licenses, we are unable to determine the number of for-profit interconnected business service licensees because a single licensee may own several licenses.

#### 4. Reporting, Recordkeeping, and Other Compliance Requirements

29. The rules adopted in the First Report and Order do not impose any additional reporting, recordkeeping, or other compliance requirements.

#### 5. Steps Taken To Minimize Burdens on Small Entities

30. In the First Report and Order the Commission amends its rules to allow providers of narrowband and broadband PCS, cellular, CMRS SMR, CMRS paging, CMRS 220 MHz service, and interconnected business radio services to offer fixed wireless services on their assigned spectrum on a co-primary basis with mobile service. These rule changes will allow CMRS providers greater flexibility to provide new and innovative services to meet consumer demands. Allowing service providers to offer all types of fixed, mobile, and hybrid services in response to market demand will allow for more flexible responses to consumer demand, a greater diversity of services and combinations of services, and increased competition both between CMRS providers and wireline providers, as well as between CMRS providers. This is consistent with the goals of the Telecommunications Act of 1996, Public Law No. 104-104, 110 Stat. 56 (1996). (1996 Act), which amended the Communications Act of 1934, which seeks to increase competition between the various providers of telecommunications services, including competitive alternatives to traditional local exchange service. All consumers will also benefit from technological advances in fixed services and fixed/mobile combinations that potentially could be stifled by restrictive service definitions.

#### 6. Significant Alternatives Considered and Rejected

31. In the NPRM we sought comment on alternative approaches to allowing PCS and other CMRS providers more flexibility to offer fixed services, including: (1) Adopting a rule that would expressly allow CMRS providers to offer "fixed wireless local loop," (2) permitting CMRS providers to offer wireless local loop and other defined fixed services, or (3) allowing CMRS providers to offer any form of fixed service without restriction. An overwhelming majority of the commenters support amending our rules to allow all CMRS providers to offer all types of fixed wireless services without restriction. One commenter, GO Communications, a small business entity, argued that CMRS providers should be required to offer at least some mobile service over their frequencies. Based on the record in this proceeding, the Commission believes that the public interest is better served by not attempting to limit potential use of CMRS spectrum to specific applications. Imposing such a limitation could lead to difficult definitional questions about what constitutes "wireless local loop" or other defined services. Further, if we were to restrict fixed service to certain configurations, carriers might be reluctant to pursue some potentially efficient options out of concern that they would be considered to fall outside the definition of our prescribed service definition. Rather than limit the flexibility of carriers in this manner, we prefer to encourage innovation and experimentation through a broader, more flexible standard. This will benefit small business by allowing them greater flexibility in determining which services they will provide to the public.

32. In the NPRM, the Commission also proposed to apply whatever increased flexibility we granted to broadband CMRS services—broadband PCS, cellular, and SMR—and sought comment on whether narrowband CMRS services—narrowband PCS, paging, commercial 220 MHz services, and interconnected business radio services—should also have such increased flexibility. Commenters also generally support extending flexibility to all CMRS bands, including both broadband and narrowband services. PCS One, a small business entity, opposes the Commission's proposal to allow cellular licensees to provide fixed wireless services, arguing that the Commission must permit PCS, for at least a reasonable interval, greater flexibility than cellular in the use of its spectrum. We find that we should

extend the flexibility to offer fixed services to all the broadband services, including cellular, as well as the narrowband services set out in the Notice. We conclude that subjecting narrowband licensees to more stringent regulatory constraints than broadband CMRS providers would be inconsistent with principles of regulatory parity and serves no public interest goal. We conclude that narrowband licensees should be entitled to the regulatory flexibility so that they may take advantage of technological advances that may occur without being required to seek additional changes to the rules. This result is also in keeping with the goals of the 1996 Act to make available the most competitive environment possible for telecommunications services. It will also benefit all small business, including all PCS licensees, by providing them greater flexibility to determine which service they will provide to the public.

#### 7. Report to Congress

33. The Commission shall send a copy of this Final Regulatory Flexibility Analysis with this First Report and Order in a report to Congress pursuant to Section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. § 801(a)(1)(A). A copy of this Regulatory Flexibility Analysis will also be published in the Federal Register.

#### B. Initial Paperwork Reduction Act of 1995 Analysis

34. The First Report and Order and Further Notice of Proposed Rule Making do not contain either a proposed or modified information collection.

#### C. Ordering Clauses

35. Accordingly, *It is ordered* that pursuant to Sections 4(i), 4(j), 7(a), 303(b), 303(f), 303(g), 303(r), 332(a), and 332(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 157(a), 303(b), 303(f), 303(g), 303(r), 332(a), and 332(c) the rules and policies set forth in the First Report and Order and Further Notice of Proposed Rule Making are adopted, and Parts 2, 22, 24, and 90 of the Commission's Rules are amended as specified below.

36. The rule changes made herein will become effective October 28, 1996.

#### D. Contacts for Information

37. For further information concerning this proceeding, contact David Krech at (202) 418-0620 (Commercial Wireless Division, Wireless Telecommunications Bureau).

## List of Subjects

## 47 CFR Part 2

Radio.

## 47 CFR Part 22

Communications common carriers,  
Radio.

## 47 CFR Part 24

Communications common carriers,  
Radio.

## 47 CFR Part 90

Business and industry, Common  
carriers, Radio.

Federal Communications Commission

William F. Caton,  
*Acting Secretary.*

## Rules Changes

Parts 2, 22, 24 and 90 of title 47 of the  
Code of Federal Regulations are  
amended as follows:**PART 2—FREQUENCY ALLOCATIONS  
AND RADIO TREATY MATTERS;  
GENERAL RULES AND REGULATIONS**1. The authority citation for Part 2  
continues to read as follows:Authority: Sec. 4, 302, 303, and 307 of the  
Communications Act of 1934, as amended,  
47 U.S.C. Sections 154, 302, 303 and 307,  
unless otherwise noted.2. Section 2.106, the Table of  
Frequency Allocations, is amended as  
follows:a. Revise entries for 26175–28000  
kHz, 29.7–37.5 MHz, 38.25–47 MHz,  
150.05–174 MHz, 220–222 MHz, 450–  
960 MHz and 1710–2110 MHz in  
columns (1) through (7).b. Revise International footnotes 672,  
675, 676, 678, 697 and 703.c. Remove International footnotes 551,  
612, 614, 682 and 708.d. Remove United States footnotes  
US330 and US331.**§ 2.106 Table of Frequency Allocations**

\* \* \* \* \*

International table			United States table		FCC use designators	
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation kHz	Allocation kHz		
(4)	(5)	(6)	(7)	(8)	(9)	(10)
*	*	*	*	*	*	*
26175–26480 FIXED MOBILE except aeronautical mobile	26175–26480 FIXED MOBILE except aeronautical mobile	26175–26480 FIXED MOBILE except aeronautical mobile	26175–26480	26175–26480 LAND MOBILE	AUXILIARY BROADCAST- ING (74)	
26480–26950 FIXED MOBILE except aeronautical mobile	26480–26950 FIXED MOBILE except aeronautical mobile	26480–26950 FIXED MOBILE except aeronautical mobile	26480–26950 FIXED MOBILE except aeronautical mobile US10	26480–26950  US10		
26950–26960 FIXED MOBILE except aeronautical mobile 546	26950–26960 FIXED MOBILE except aeronautical mobile 546	26950–26960 FIXED MOBILE except aeronautical mobile 546	26950–26960  546	26950–26960 FIXED  546	INTERNATIONAL FIXED PUBLIC (23)	
26960–27230 FIXED MOBILE except aeronautical mobile 546	26960–27230 FIXED MOBILE except aeronautical mobile 546	26960–27230 FIXED MOBILE except aeronautical mobile 546	26960–26230  546	26960–27230 MOBILE except aeronautical mobile 546	PERSONAL (95)	27120 ± 160 kHz: Industrial, sci- entific, and medical fre- quency.
27230–27410 FIXED MOBILE except aeronautical mobile 546	27230–27410 FIXED MOBILE except aeronautical mobile 546	27230–27410 FIXED MOBILE except aeronautical mobile 546	27230–27410  546	27230–27410 FIXED MOBILE except aeronautical mobile 546	PERSONAL (95) PRIVATE LAND MOBILE (90)	
27410–27500 FIXED MOBILE except aeronautical mobile	27410–27500 FIXED MOBILE except aeronautical mobile	27410–27500 FIXED MOBILE except aeronautical mobile	27410–27500	27410–27500 FIXED LAND MOBILE	PRIVATE LAND MOBILE (90)	

International table			United States table		FCC use designators	
Region 1—allocation kHz	Region 2—allocation kHz	Region 3—allocation kHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation kHz	Allocation kHz		
27500–27540 ME-TEOROLOGICAL AIDS FIXED MOBILE	27500–27540 ME-TEOROLOGICAL AIDS FIXED MOBILE	27500–27540 ME-TEOROLOGICAL AIDS FIXED MOBILE	27500–27540	27500–27540 FIXED LAND MOBILE	PRIVATE LAND MOBILE (90)	
27540–28000 ME-TEOROLOGICAL AIDS FIXED MOBILE	27540–28000 ME-TEOROLOGICAL AIDS FIXED MOBILE	27540–28000 ME-TEOROLOGICAL AIDS FIXED MOBILE	27540–28000 FIXED MOBILE	27540–28000		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
*	*	*	*	*	*	*
29.7–29.8 FIXED MOBILE	29.7–29.8 FIXED MOBILE	29.7–29.8 FIXED MOBILE	29.7–29.8	29.7–29.8 LAND MOBILE	PRIVATE LAND MOBILE (90)	
29.8–29.89 FIXED MOBILE	29.8–29.89 FIXED MOBILE	29.8–29.89 FIXED MOBILE	29.8–29.89	29.8–29.89 FIXED	AVIATION (87) INTERNATIONAL FIXED PUBLIC (23)	
29.89–29.91 FIXED MOBILE	29.89–29.91 FIXED MOBILE	29.89–29.91 FIXED MOBILE	29.89–29.91 FIXED MOBILE	29.89–29.91		
29.91–30 FIXED MOBILE	29.91–30 FIXED MOBILE	29.91–30 FIXED MOBILE	29.91–30	29.91–30 FIXED	AVIATION (87) INTERNATIONAL FIXED PUBLIC (23)	
30–30.005 FIXED MOBILE 30.005–30.01 SPACE OPERATIONS (satellite identification) FIXED MOBILE SPACE RESEARCH	30–30.005 FIXED MOBILE 30.005–30.01 SPACE OPERATIONS (satellite identification) FIXED MOBILE SPACE RESEARCH	30–30.005 FIXED MOBILE 30.005–30.01 SPACE OPERATIONS (satellite identification) FIXED MOBILE SPACE RESEARCH	30–30.005 FIXED MOBILE 30.005–30.01 FIXED MOBILE	30–30.005  30.005–30.01		
30.01–30.56 FIXED MOBILE	30.01–30.56 FIXED MOBILE	30.01–30.56 FIXED MOBILE	30.01–30.56 FIXED MOBILE	30.01–30.56		
30.56–32 FIXED MOBILE	30.56–32 FIXED MOBILE	30.56–32 FIXED MOBILE	30.56–32	30.56–32 FIXED LAND MOBILE	PRIVATE LAND MOBILE (90)	
				NG124		



International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government Allocation MHz	Non-Government Allocation MHz	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	(4)	(5)	(6)	(7)
32–33 FIXED MOBILE	32–33 FIXED MOBILE	32–33 FIXED MOBILE	32–33 FIXED MOBILE	32–33		
33–34 FIXED MOBILE	33–34 FIXED MOBILE	33–34 FIXED MOBILE	33–34	33–34 FIXED LAND MOBILE NG124	PRIVATE LAND MOBILE (90)	
34–35 FIXED MOBILE 35–35.19 FIXED MOBILE	34–35 FIXED MOBILE 35–35.19 FIXED MOBILE	34–35 FIXED MOBILE 35–35.19 FIXED MOBILE	34–35 FIXED MOBILE 35.19	34–35  35–35.19 FIXED LAND MOBILE NG124	PRIVATE LAND MOBILE (90)	
35.19–35.69 FIXED MOBILE	35.19–35.69 FIXED MOBILE	35.19–35.69 FIXED MOBILE	35.19–35.69	35.19–35.69 FIXED LAND MOBILE NG124	PUBLIC MOBILE (22) PRIVATE LAND MOBILE (90)	
35.69–36 FIXED MOBILE	35.69–36 FIXED MOBILE	35.69–36 FIXED MOBILE	35.69–36	35.69–36 FIXED LAND MOBILE NG124	PRIVATE LAND MOBILE (90)	
36–37 FIXED MOBILE	36–37 FIXED MOBILE	36–37 FIXED MOBILE	36–37 FIXED MOBILE US220	36–37  US220		
37–37.5 FIXED MOBILE	37–37.5 FIXED MOBILE	37–37.5 FIXED MOBILE	37–37.5	37–37.5 LAND MOBILE NG124	PRIVATE LAND MOBILE (90)	
*	*	*	*	*	*	*
38.25–39 FIXED MOBILE	38.25–39 FIXED MOBILE	38.25–39 FIXED MOBILE	38.25–39 FIXED MOBILE	38.25–39		
39–39.986 FIXED MOBILE	39–39.986 FIXED MOBILE	39–39.986 FIXED MOBILE	39–39.986	39–39.986 LAND MOBILE NG124	PRIVATE LAND MOBILE (90)	
39.986–40 FIXED MOBILE Space Research	39.986–40 FIXED MOBILE Space Research	39.986–40 FIXED MOBILE Space Research	39.986–40	39.986–40 LAND MOBILE NG124	PRIVATE LAND MOBILE (90)	
40–40.02 FIXED MOBILE Space Research	40–40.02 FIXED MOBILE Space Research	40–40.02 FIXED MOBILE Space Research	40–40.02 FIXED MOBILE	40–40.02		
40.02–40.98 FIXED MOBILE	40.02–40.98 FIXED MOBILE	40.02–40.98 FIXED MOBILE	40.02–40.98 FIXED MOBILE	40.02–40.98	40.68 ± .02 MHz: Industrial, sci- entific and med- ical frequencies.	
548	548	548	548 US210	548 US210		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
40.98–41.015 FIXED MOBILE Space Research 549	40.98–41.015 FIXED MOBILE Space Research	40.98–41.015 FIXED MOBILE Space Research 550	40.98–41.015 FIXED MOBILE	40.98–41.015		
41.015–42 FIXED MOBILE 549	41.015–42 FIXED MOBILE	41.015–42 FIXED MOBILE 550	41.015–42 FIXED MOBILE US220	41.015–42  US220		
42–43.19 FIXED MOBILE 549	42–43.19 FIXED MOBILE	42–43.19 FIXED MOBILE 550	42–43.19	42–43.19 FIXED LAND MOBILE NG124 NG141	PRIVATE LAND MOBILE (90)	
43.19–43.69 FIXED MOBILE  549	43.19–43.69 FIXED MOBILE	43.19–43.69 FIXED MOBILE  550	43.19–43.69	43.19–43.69 FIXED LAND MOBILE	PUBLIC MOBILE (22) PRIVATE LAND MOBILE (90)	
43.69–44 FIXED MOBILE 549	43.69–44 FIXED MOBILE	43.69–44 FIXED MOBILE 550	43.69–44	43.69–44 LAND MOBILE NG141	PRIVATE LAND MOBILE (90)	
44–46.6 FIXED MOBILE	44–46.6 FIXED MOBILE	44–46.6 FIXED MOBILE 552	44–46.6	LAND MOBILE  NG124 NG141	PRIVATE LAND MOBILE (90)	
46.6–47 FIXED MOBILE	46.6–47 FIXED MOBILE	46.6–47 FIXED MOBILE 552	46.6–47 FIXED MOBILE	46.6–47		
*	*	*	*	*	*	*
150.05–150.8 FIXED MOBILE except aeronautical mo- bile RADIO ASTRON- OMY 610 150.8–152 FIXED MOBILE except aeronautical mo- bile RADIO ASTRON- OMY 610	150.05–150.8 FIXED MOBILE  150.8–152 FIXED MOBILE	150.05–150.8 FIXED MOBILE  611 150.8–152 FIXED MOBILE  611	150.05–150.8 FIXED MOBILE  US216 G30 150.8–152	150.05–150.8  US216 150.8–152 FIXED LAND MOBILE  NG51 NG112 NG124	PRIVATE LAND MOBILE (90)	
152–152.255 FIXED MOBILE except aeronautical mo- bile RADIO ASTRON- OMY 610	152–152.255 FIXED MOBILE	152–152.255 FIXED MOBILE  611	152–152.255  US216	152–152.255 FIXED LAND MOBILE  US216	PUBLIC MOBILE (22)	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government Allocation MHz	Non-Government Allocation MHz	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	(4)	(5)	(6)	(7)
152.255–152.495 FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 610	152.255–152.495 FIXED MOBILE	152.255–152.495 FIXED MOBILE  611	152.255–152.495	152.255–152.495 FIXED LAND MOBILE  NG124	PRIVATE LAND MOBILE (90)	
152.495–152.855 FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 610	152.495–152.855 FIXED MOBILE	152.495–152.855 FIXED MOBILE  611	152.495–152.855	152.495–152.855 FIXED LAND MOBILE  NG4	PUBLIC MOBILE (22)	
152.855–153 FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 610	152.855–153 FIXED MOBILE	152.855–153 FIXED MOBILE  611	152.855–153	152.855–153 LAND MOBILE  NG4 NG124	PRIVATE LAND MOBILE (90) AUXILIARY BROADCASTING (74)	
153–154 FIXED MOBILE except aeronautical mobile (R) Meteorological Aids	153–154 FIXED MOBILE	153–154 FIXED MOBILE	153–154	153–154 LAND MOBILE  NG4 NG124	PRIVATE LAND MOBILE (90) AUXILIARY BROADCASTING (74)	
154–156.2475 FIXED MOBILE except aeronautical mobile (R) 613	154–156.2475 FIXED MOBILE  613	154–156.2475 FIXED MOBILE  613	154–156.2475  613	154–156.2475 FIXED LAND MOBILE  613 NG112 NG117 NG124 NG148	PRIVATE LAND MOBILE (90) MARITIME (80)	
156.2475– 156.7625 FIXED MOBILE except aeronautical mobile (R) 613 613A	156.2475– 156.7625 FIXED MOBILE  613 613A	156.2475– 156.7625 FIXED MOBILE  613 613A	156.2475– 156.7625  613 613A US77 US106 US266	156.2475– 156.7625 MARITIME MOBILE  613 613A US77 US106 US266 NG117		
156.7625– 156.8375 MARITIME MOBILE (distress and calling) 501 613	156.7625– 156.8375 MARITIME MOBILE (distress and calling) 501 613	156.7625– 156.8375 MARITIME MOBILE (distress and calling) 501 613	156.7625– 156.8375  613 US107 US266	156.7625– 156.8375 MARITIME MOBILE  613 US107 US266 NG117		

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
156.8375–157.0375 FIXED MOBILE except aeronautical mobile 613	156.8375–157.0375 FIXED MOBILE 613	156.8375–157.0375 FIXED MOBILE 613	156.8375–157.0375 613 US77 US266	156.8375–157.0375 MARITIME MOBILE 613 US77 US 266 NG117		
157.0375–157.1875 FIXED MOBILE except aeronautical mobile 613	157.0375–157.1875 FIXED MOBILE 613	157.0375–157.1875 FIXED MOBILE 613	157.0375–157.1875 MARITIME MOBILE 613 US214 US266 G109	157.0375–157.1875 613 US214 US266	Private Land Mobile (90)	
157.1875–157.45 FIXED MOBILE except aeronautical mobile 613	157.1875–157.45 FIXED MOBILE 613	157.1875–157.45 FIXED MOBILE 613	157.1875–157.45 613 US223 US266	157.1875–157.45 LAND MOBILE MARITIME MOBILE 613 US223 US266 NG111 NG154	PRIVATE LAND MOBILE (90) MARITIME (80)	
157.45–157.755 FIXED MOBILE except aeronautical mobile	157.45–157.755 FIXED MOBILE	157.45–157.755 FIXED MOBILE	157.45–157.755 US266	157.45–157.755 FIXED LAND MOBILE US266 NG111 NG 124	PRIVATE LAND MOBILE (90)	
157.755–158.115 FIXED MOBILE except aeronautical mobile	157.755–158.115 FIXED MOBILE	157.755–158.115 FIXED MOBILE	157.755–158.115	157.755–158.115 FIXED LAND MOBILE	PUBLIC MOBILE (22)	
158.115–161.575 FIXED MOBILE except aeronautical mobile 613 613B	158.115–161.575 FIXED MOBILE 613	158.115–161.575 FIXED MOBILE 613	158.115–161.575 613	158.115–161.575 FIXED LAND MOBILE 613 NG6 NG28 NG70 NG112 NG124 NG148	PUBLIC MOBILE (22) PRIVATE LAND MOBILE (90) MARITIME (80)	
161.575–161.625 FIXED MOBILE except aeronautical mobile 613	161.575–161.625 FIXED MOBILE 613	161.575–161.625 FIXED MOBILE 613	161.575–161.625 613 US77	161.575–161.625 MARITIME MOBILE 613 US77 NG6 NG17	MARITIME (80) PUBLIC MOBILE (22)	
161.625–161.775 FIXED MOBILE except aeronautical mobile 613	161.625–161.775 FIXED MOBILE 613	161.625–161.775 FIXED MOBILE 613	161.625–161.775 613	161.625–161.775 LAND MOBILE 613 NG6	AUXILIARY BROADCASTING (74) PUBLIC MOBILE (22)	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
161.775–162.0125 FIXED MOBILE except aeronautical mobile 613 615	161.775–162.0125 FIXED MOBILE  613	161.775–162.0125 FIXED MOBILE  613	161.775–162.0125   613 US266	161.775–162.0125 LAND MOBILE MARITIME MOBILE  613 US266 NG6 NG154	PRIVATE LAND MOBILE (90) PUBLIC MOBILE (22)  MARITIME (80)	
162.0125–173.2 FIXED MOBILE except aeronautical mobile 613 615	162.0125–173.2 FIXED MOBILE  613	162.0125–173.2 FIXED MOBILE  613 616 617 618	162.0125–173.2 FIXED MOBILE  613 US8 US11 US13 US216 US223 US300 US312 G5	162.0125–173.2   613 US8 US11 US13 US216 US223 US300 US312	Auxiliary Broadcasting (74) Private Land Mobile (90)	
173.2–173.4 FIXED MOBILE except aeronautical mobile 615	173.2–173.4 FIXED MOBILE	173.2–173.4 FIXED MOBILE  617 618	173.2–173.4	173.2–173.4 FIXED Land Mobile  NG124	PRIVATE LAND MOBILE (90)	
173.4–174 FIXED MOBILE except aeronautical mobile 615	173.4–174 FIXED MOBILE	173.4–174 FIXED MOBILE  617 618	173.4–174 FIXED MOBILE  G5	173.4–174		
*	*	*	*	*	*	*
220–222 BROADCASTING  621 623 628 629	220–222 AMATEUR FIXED MOBILE Radio- location 627	220–222 FIXED MOBILE BROADCASTING  626	220–222 FIXED LAND MOBILE Radiolocation 627 G2	220–222 FIXED LAND MOBILE  627	PRIVATE LAND MOBILE (90)	
*	*	*	*	*	*	*
450–451 FIXED MOBILE 653 668	450–451 FIXED MOBILE 668	450–451 FIXED MOBILE 653 668	450–451  668 US87	450–451 LAND MOBILE  668 US87	AUXILIARY BROADCAST- ING (74)	
451–454 FIXED MOBILE 653	451–454 FIXED MOBILE	451–454 FIXED MOBILE 653	451–454	451–454 LAND MOBILE  NG112 NG124	PRIVATE LAND MOBILE (90)	
454–455 FIXED MOBILE 653	454–455 FIXED MOBILE	454–455 FIXED MOBILE 653	454–455	454–455 FIXED LAND MOBILE NG12 NG112 NG148	PUBLIC MOBILE (22) MARITIME (80)	
455–456 FIXED MOBILE  653	455–456 FIXED MOBILE MOBILE-SAT- ELLITE (Earth- to-space)	455–456 FIXED MOBILE  653	455–456	455–456 LAND MOBILE	AUXILIARY BROADCAST- ING (74)	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
456–459 FIXED MOBILE 653 669	456–459 FIXED MOBILE 669 670	456–459 FIXED MOBILE 653 669 670	456–459  669 670	456–459 FIXED LAND MOBILE 669 670 NG112 NG124	PRIVATE LAND MOBILE (90)	
459–460 FIXED MOBILE  653	459–460 FIXED MOBILE MOBILE-SAT- ELLITE (Earth- to-space)	459–460 FIXED MOBILE  653	459–460	459–460 FIXED LAND MOBILE  NG12 NG112 NG148	PUBLIC MOBILE (22) MARITIME (80)	
460–462.5375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 671 672	460–462.5375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 671	460–462.5375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 671 672	460–462.5375 Meteorological- Satellite (space- to-Earth)  671 US201 US209	460–462.5375 FIXED LAND MOBILE  671 US201 US209 NG124	PRIVATE LAND MOBILE (90)	
462.5375– 462.7375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 671 672	462.5375– 462.7375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 671	462.5375– 462.7375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 671 672	462.5375– 462.7375 Meteorological- Satellite (space- to-Earth)  671 US201	462.5375– 462.7375 LAND MOBILE  671 US201	PERSONAL (95)	
462.5375– 462.5375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 669 671 672	462.5375– 462.5375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 669 671	462.5375– 462.5375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 669 671 672	462.5375– 462.5375 Meteorological- Satellite (space- to-Earth)  669 671 US201 US209 US216	462.7375– 467.5375 FIXED LAND MOBILE  669 671 US201 US209 US216 NG124	PRIVATE LAND MOBILE (90)	
467.5375– 467.7375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 669 671 672	467.5375– 467.7375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 669 671	467.5375– 467.7375 FIXED MOBILE Meteorological- Satellite (space- to-Earth) 669 671 672	467.5375– 467.7375 Meteorological- Satellite (space- to-Earth)  669 671 US201	467.5375– 567.7375 LAND MOBILE  669 671 US201	PERSONAL (95)	
467.7375–470 FIXED MOBILE Meteorological- Satellite (space to Earth) 671 672	467.7375–470 FIXED MOBILE Meteorological- Satellite (space to Earth) 670 671	467.7375–470 FIXED MOBILE Meteorological- Satellite (space to Earth) 670 671 672	467.7375–470 MOBILE Meteorological- Satellite (space to Earth)  670 671 US201 US216	467.735–470 FIXED LAND MOBILE  670 671 US201 US216 NG124	PRIVATE LAND MOBILE (90)	
470–512 BROAD- CASTING	470–512 BROADCASTING Fixed Mobile	470–512 FIXED MOBILE BROAD- CASTING	470–512	470–512 BROADCASTING FIXED LAND MOBILE	RADIO BROAD- CAST (TV)(73) PRIVATE LAND MOBILE (90) PUBLIC MOBILE (22)	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government Allocation MHz	Non-Government Allocation MHz	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	(4)	(5)	(6)	(7)
676 677A	674 675	673 677		NG66 NG114 NG127 NG128 NG149	Auxiliary Broadcasting (74)	
512–585 BROADCASTING	512–585 BROADCASTING	512–585 FIXED MOBILE BROADCASTING	512–585	512–585 BROADCASTING	RADIO BROADCAST (TV) (73) Auxiliary Broadcasting (74)	
676 677A 683 684	678	677 679		NG128 NG149		
585–608 BROADCASTING	585–608 BROADCASTING	585–608 FIXED MOBILE BROADCASTING RADIO-NAVIGATION	585–608	585–608 BROADCASTING	RADIO BROADCAST (TV) (73) Auxiliary Broadcasting (74)	
677A 683 684 685 686 686A 687	678	688		NG128 NG149		
608–610 BROADCASTING	608–610 RADIOASTRONOMY Mobile-Satellite except aeronautical mobile-satellite (Earth-to-space)	608–610 FIXED MOBILE BROADCASTING RADIO-NAVIGATION	608–610 RADIO ASTRONOMY			
677A 684 687 689		688 689 690	US74 US246	US74 US246		
610–614 BROADCASTING	610–614 RADIO ASTRONOMY Mobile-Satellite except aeronautical mobile-satellite (Earth-to-space)	610–614 FIXED MOBILE BROADCASTING	610–614 RADIO ASTRONOMY	610–614 RADIO ASTRONOMY		
677A 684 687 689		677 688 689 690 691	US74 US246	US74 US246		
614–790 BROADCASTING	614–790 BROADCASTING Fixed Mobile	614–790 FIXED MOBILE BROADCASTING	614–790 BROADCASTING	RADIO BROADCAST (TV) (73) Auxiliary Broadcasting (74)		
677A 684 693 694	675 692 692A 693	677 691 693		NG30 NG128 NG149		
790–806 FIXED BROADCASTING	790–806 BROADCASTING Fixed Mobile	790–806 Fixed Mobile BROADCASTING	790–806	790–806	790–806 BROADCASTING	RADIO BROADCAST (TV) (73) Auxiliary Broadcasting (74)
694 695 695A 696 697	675 692 692A	677		NG30 NG43 NG128 NG149		
806–821 FIXED BROADCASTING	806–821 FIXED MOBILE BROADCASTING	806–821 FIXED MOBILE BROADCASTING	806–821	806–821 FIXED LAND MOBILE	PRIVATE LAND MOBILE (90) PUBLIC MOBILE (22)	
694 695 695A 696 697 700B	692A 700	677 701		NG30 NG31 NG43 NG63		
821–824 FIXED BROADCASTING	821–824 FIXED MOBILE BROADCASTING	821–824 FIXED MOBILE BROADCASTING	821–824	821–824 LAND MOBILE	PRIVATE LAND MOBILE (90)	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
694 695 695A 696 697 700B	692A 700	677 701		NG30 NG43 NG63		
824–849 FIXED BROADCASTING  694 695 695A 696 697 700B 702	824–849 FIXED MOBILE BROADCASTING 692A 700	824–849 FIXED MOBILE BROADCASTING 677 701	824–849	824–849 FIXED LAND MOBILE  NG30 NG43 NG63 NG151	PUBLIC MOBILE (22)	
849–851 FIXED BROADCASTING  694 695A 697 702	849–851 FIXED MOBILE BROADCASTING 692A 700 700A	849–851 FIXED MOBILE BROADCASTING 677 701	849–851	849–851 AERONAUTICAL MOBILE  NG30 NG63	PUBLIC MOBILE (22)	
851–862 FIXED BROADCASTING  694 695A 697 700B 702	851–862 FIXED MOBILE BROADCASTING 692A 700	851–862 FIXED MOBILE BROADCASTING 677 701	851–862	851–862 FIXED LAND MOBILE  NG30 NG31 NG63	PRIVATE LAND MOBILE (90) PUBLIC MOBILE (22)	
862–866 FIXED MOBILE except aeronautical mobile BROADCASTING 703 700B 704	862–866 FIXED MOBILE BROADCASTING  692A 700	862–866 FIXED MOBILE BROADCASTING  677 701	862–866	862–866 FIXED LAND MOBILE  NG30 NG31 NG63	PRIVATE LAND MOBILE (90) PUBLIC MOBILE (22)	
866–869 FIXED MOBILE except aeronautical mobile BROADCASTING 703 700B 704	866–869 FIXED MOBILE BROADCASTING  692A 700	866–869 FIXED MOBILE BROADCASTING  677 701	866–869	866–869 LAND MOBILE  NG30 NG63	PRIVATE LAND MOBILE (90)	
869–890 FIXED MOBILE except aeronautical mobile BROADCASTING 703 700B 704	869–890 FIXED MOBILE BROADCASTING  692A 700	869–890 FIXED MOBILE BROADCASTING  677 701	869–890	869–890 FIXED LAND MOBILE  NG30 NG63 NG151	PUBLIC MOBILE (22)	
890–894 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio-location 704	890–894 FIXED MOBILE except aeronautical mobile Radio-location  700A 704A 705	890–894 FIXED MOBILE BROADCASTING Radiolocation  706	890–894   US116 US268 G2	890–894 FIXED LAND MOBILE  US116 US268 NG151	PUBLIC MOBILE (22)	



International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
894–896 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio-location 704	894–896 FIXED MOBILE except aeronautical mobile Radio-location  700A 704A 705 896–901 FIXED MOBILE except aeronautical mobile Radio-location  705	894–896 FIXED MOBILE BROADCASTING Radiolocation  706 896–901 FIXED MOBILE BROADCASTING Radiolocation  706	894–896   US116 US268 G2 896–901   US116 US268 G2	894–896 AERONAUTICAL MOBILE  US116 US268 896–901 FIXED LAND MOBILE  US116 US268	PUBLIC MOBILE (22)   PRIVATE LAND MOBILE (90)	
901–902 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio-location 704	901–902 FIXED MOBILE except aeronautical mobile Radio-location  705	901–902 FIXED MOBILE BROADCASTING Radiolocation  706	901–902   US116 US268 G2	901–902 FIXED MOBILE  US116 US268	PERSONAL COMMUNICATIONS (24)	
902–928 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio-location 704	902–928 FIXED Amateur Mobile except aeronautical mobile Radio-location  705 707 707A	902–928 FIXED MOBILE BROADCASTING Radiolocation  706	902–928 RADIO-LOCATION   707 US215 US218 US267 US275 G11 G59	902–928   707 US215 US218 US267 US275	Amateur (97) Private Land Mobile (90)	915 ± 13 MHz: Industrial scientific and medical frequency.
928–929 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio-location 704	928–929 FIXED MOBILE except aeronautical mobile Radio-location  705	928–929 FIXED MOBILE BROADCASTING Radiolocation  706	928–929   US116 US 215 US268 G2	928–929 FIXED  US116 US215 US268	FIXED MICROWAVE (101) PRIVATE LAND MOBILE (90) PUBLIC MOBILE (22)	
929–930 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio-location 704	929–930 FIXED MOBILE except aeronautical mobile Radio-location  705	929–930 FIXED MOBILE BROADCASTING Radiolocation  706	929–930   US116 US215 US268 G2	929–930 FIXED LAND MOBILE  US116 US215 US268	929–930 PRIVATE LAND MOBILE (90)	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
930–931 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio- location 704	930–931 FIXED MOBILE except aeronautical mobile Radio- location 705	930–931 FIXED MOBILE BROADCASTING Radiolocation 706	930–931  US116 US215 US268 G2	930–931 FIXED MOBILE  US116 US215 US268	PERSONAL COMMUNICA- TIONS (24)	
931–932 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio- location 704	931–932 FIXED MOBILE except aeronautical mobile Radio- location 705	931–932 FIXED MOBILE BROADCASTING Radiolocation 706	931–932  US116 US215 US268 G2	931–932 FIXED LAND MOBILE  US116 US215 US268	PUBLIC MOBILE (22)	
932–935 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio- location 704	932–935 FIXED MOBILE except aeronautical mobile Radio- location 705	932–935 FIXED MOBILE BROADCASTING Radiolocation 706	932–935 FIXED  US215 US268 G2	932–935 FIXED  US215 US268	FIXED MICRO- WAVE (101) PUBLIC MOBILE (22)	
935–940 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio- location 704	935–940 FIXED MOBILE except aeronautical mobile Radio- location 705	935–940 FIXED MOBILE BROAD- CASTING 706	935–940  US116 US215 US268 G2	935–940 FIXED LAND MOBILE  US116 US215 US268	PRIVATE LAND MOBILE (90)	
940–941 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio- location 704	940–941 FIXED MOBILE except aeronautical mobile Radio- location 705	940–941 FIXED MOBILE BROAD- CASTING Radiolocation 706	940–941  US116 US268 G2	940–941 FIXED MOBILE  US116 US268	PERSONAL COMMUNICA- TIONS (24)	
941–942 FIXED MOBILE except aeronautical mobile BROADCASTING 703 Radio- location 704	941–942 FIXED MOBILE except aeronautical mobile Radio- location 705	941–942 FIXED MOBILE BROAD- CASTING Radiolocation 706	941–942 FIXED  US268 G2	941–942 FIXED  US268	FIXED MICRO- WAVE (101) PUBLIC MOBILE (22)	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
942–944 FIXED MOBILE except aeronautical mobile BROADCASTING 703 704	942–944 FIXED MOBILE	942–944 FIXED MOBILE BROADCASTING  701	942–944 FIXED  US301 US302	942–944 FIXED  US301 US302	FIXED MICRO-WAVE (101)	
944–960 FIXED MOBILE except aeronautical mobile BROADCASTING 703  704	944–960 FIXED MOBILE	944–960 FIXED MOBILE BROADCASTING  701	944–960   	944–960 FIXED  NG120	AUXILIARY BROADCASTING (74) FIXED MICRO-WAVE (101) INTERNATIONAL PUBLIC FIXED (23) PUBLIC MOBILE (22)	
*	*	*	*	*	*	*
1710–1850 FIXED MOBILE 740A 722 744 746	1710–1850 FIXED MOBILE 740A 722 744 745	1710–1850 FIXED MOBILE 740A 722 744 745	1710–1850 FIXED MOBILE 722 US256 G42	1710–1850  722 US256		
1850–1930 FIXED MOBILE 740A  746A	1850–1930 FIXED MOBILE 740A  746A	1850–1930 FIXED MOBILE 740A  746A	1850–1930   	1850–1930 FIXED MOBILE	FIXED MICRO-WAVE (101) PERSONAL COMMUNICATIONS (24) RADIO FREQUENCY DEVICES (15)	
1930–1970 FIXED MOBILE  746A	1930–1970 FIXED MOBILE Mobile-Satellite (Earth-to-Space) 746A	1930–1970 FIXED MOBILE  746A	1930–1970   	1930–1970 FIXED MOBILE	FIXED MICRO-WAVE (101) PERSONAL COMMUNICATIONS (24)	
1970–1980 FIXED MOBILE  746A	1970–1980 FIXED MOBILE Mobile-Satellite (Earth-to-space) 746A 746B 746C	1970–1980 FIXED MOBILE  746A	1970–1980   	1970–1980 FIXED MOBILE	FIXED MICRO-WAVE (101) PERSONAL COMMUNICATIONS (24)	
1980–1990 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) 746A 746B	1980–1990 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) 746A 746B 746C	1980–1990 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) 746A 746B	1980–1990   	1980–1990 FIXED MOBILE	FIXED MICRO-WAVE (101) PERSONAL COMMUNICATIONS (24)	
1990–2010 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space)	1990–2010 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space)	1990–2010 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space)	1990–2010   	1990–2010 FIXED MOBILE	AUXILIARY BROADCASTING (74) CABLE TELEVISION (78)	

International table			United States table		FCC use designators	
Region 1—allocation MHz	Region 2—allocation MHz	Region 3—allocation MHz	Government	Non-Government	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	Allocation MHz	Allocation MHz		
(4)	(5)	(6)	(7)			
746A 746B	746A 746B 746C	746A 746B	US90 US111 US219 US222	US90 US111 US219 US222 NG23 NG118		
2010–2025 FIXED MOBILE	2010–2025 FIXED MOBILE	2010–2025 FIXED MOBILE	2010–2025	2010–2025 FIXED MOBILE	AUXILIARY BROADCAST- ING (74) CABLE TELE- VISION (78)	
746A	746A	746A	US111 US222	US111 US222 NG23 NG118		
2025–2110 FIXED MOBILE 747A SPACE RE- SEARCH (Earth-to-space) (space-to-space) SPACE OPER- ATION (Earth- to-space) (space-to-space) EARTH EXPLO- RATION-SAT- ELLITE (Earth- to-space) (space-to-space)	2025–2110 FIXED MOBILE 747A SPACE RE- SEARCH (Earth-to-space) (space-to-space) SPACE OPER- ATION (Earth- to-space) (space-to-space) EARTH EXPLO- RATION-SAT- ELLITE (Earth- to-space) (space-to-space)	2025–2110 FIXED MOBILE 747A SPACE RE- SEARCH (Earth-to-space) (space-to-space) SPACE OPER- ATION (Earth- to-space) (space-to-space) EARTH EXPLO- RATION-SAT- ELLITE (Earth- to-space) (space-to-space)	2025–2110	2025–2110 FIXED MOBILE	AUXILIARY BROADCAST- ING (74) CABLE TELE- VISION (78)	
750A	750A	750A	US90 US111 US219 US222	US90 US111 US219 US222 NG23 NG118		
*	*	*	*	*	*	*

## International Footnotes

\* \* \* \* \*

672 *Different category of service:* in Afghanistan, Bulgaria, China, Cuba, Japan, Mongolia, Czechoslovakia and the U.S.S.R., the allocation of the band 460–470 MHz to the meteorological-satellite service (space-to-Earth) is on a primary basis (see No. 425) and is subject to agreement obtained under the procedure set forth in Article 14.

\* \* \* \* \*

675 *Additional allocation:* in Chile, Columbia, Cuba, Ecuador, the United States, Guyana, Honduras, Jamaica, Mexico and Panama, the allocation of the bands 470–512 MHz and 614–806 MHz to the fixed and mobile services is on a primary basis (see No. 425), subject to agreement obtained under the procedure set forth in Article 14.

676 *Additional allocation:* in Burundi, Cameroon, the Congo, Ethiopia, Israel, Kenya, Lebanon, Libya, Malawi, Senegal, Sudan, Syria, and Yemen, the band 470–582 MHz is also

allocated to the fixed service on a secondary basis.

\* \* \* \* \*

678 *Additional allocation:* in Costa Rica, Cuba, El Salvador, Ecuador, the United States, Guatemala, Guyana, Honduras, Jamaica, Mexico and Venezuela, the band 512–608 MHz is also allocated to the fixed and mobile services on a primary basis, subject to agreement obtained under the procedures set forth in Article 14.

\* \* \* \* \*

697 *Additional allocation:* in the Federal Republic of Germany, Burkina Faso, Cameroon, Côte d'Ivoire, Denmark, Egypt, Finland, Israel, Kenya, Libya, Liechtenstein, Monaco, Norway, the Netherlands, Portugal, Sweden, Switzerland and Yugoslavia, the band 790–830 MHz, and in these same countries and in Spain, France, Malta, the Gabonese Republic and Syria, the band 830–862 MHz, are also allocated to the mobile, except aeronautical mobile, service on a primary basis. However,

stations of the mobile service in the countries mentioned in connection with each band referred to in this footnote shall not cause harmful interference to, or claim protection from, stations of services operating in accordance with the Table in countries other than those mentioned in connection with this band.

\* \* \* \* \*

703 In Region 1, in the band 862–960 MHz, stations of the broadcasting service shall be operated only in the African Broadcasting Area (see Nos. 400 to 403) excluding Algeria, Egypt, Spain, Libya and Morocco, subject to agreement obtained under the procedure set forth in Article 14.

\* \* \* \* \*

## PART 22—PUBLIC MOBILE SERVICES

3. The authority citation for Part 22 continues to read as follows:

Authority: 47 U.S.C. 154, 303, unless otherwise noted.

4. Section 22.901 is amended by revising the introductory text and paragraph (d) to read as follows:

**§ 22.901 Cellular service requirements and limitations.**

Cellular system licensees must provide cellular mobile radiotelephone service upon request to all cellular subscribers in good standing, including roamers, while such subscribers are located within any portion of the authorized cellular geographic service area (see § 22.911) where facilities have been constructed and mobile service to subscribers has commenced. A cellular system licensee may refuse or terminate service, however, subject to any applicable state or local requirements for timely notification to any subscriber who operates a cellular telephone in an airborne aircraft in violation of § 22.925 or otherwise fails to cooperate with the licensee in exercising operational control over mobile stations pursuant to § 22.927.

\* \* \* \* \*

(d) *Alternative technologies and co-primary services.* Licensees of cellular systems may use alternative cellular technologies and/or provide fixed services on a co-primary basis with their mobile offerings, including personal communications services (as defined in Part 24 of this chapter) on the spectrum within their assigned channel block. Cellular carriers that provide mobile services must make such service available to subscribers whose mobile equipment conforms to the cellular system compatibility specification (see § 22.933).

(1) Licensees must perform or obtain an engineering analysis to ensure that interference to the service of other cellular systems will not result from the implementation of co-primary fixed services or alternative cellular technologies.

(2) Alternative technology and co-primary fixed services are exempt from the channeling requirements of § 22.905, the modulation requirements of § 22.915, the wave polarization requirements of § 22.367, the compatibility specification in § 22.933 and the emission limitations of §§ 22.357 and 22.917, except for emission limitations that apply to emissions outside the assigned channel block.

**PART 24—PERSONAL COMMUNICATIONS SERVICES**

5. The authority citation for Part 24 continues to read as follows:

Authority: Secs. 4, 301, 302, 303, 309, and 332, 48 Stat. 1066, 1082, as amended; 47

U.S.C. §§ 154, 301, 302, 303, 309 and 332, unless otherwise noted.

6. Section 24.3 is revised to read as follows:

**§ 24.3 Permissible communications.**

PCS licensees may provide any mobile communications service on their assigned spectrum. Fixed services may be provided on a co-primary basis with mobile operations. Broadcasting as defined in the Communications Act is prohibited.

**PART 90—PRIVATE LAND MOBILE RADIO SERVICES**

7. The authority citation for Part 90 continues to read as follows:

Authority: Sections 4, 303, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, and 332, unless otherwise noted.

8. Section 90.419 is revised to read as follows:

**§ 90.419 Points of communication.**

Normally, operations licensed under this part are intended to provide intrastation mobile communications. For example, a base station is intended to communicate with its associated mobile stations and mobile stations are intended to communicate between associated mobile stations and associated base stations of the licensee. Accordingly, operations between base stations at fixed locations are permitted only in the following situations:

(a) Base stations licensed under the Public Safety and Special Emergency Radio Services that operate on frequencies below 450 MHz, may communicate on a secondary basis with other base stations, operational fixed stations, or fixed receivers authorized in these services.

(b) Base stations licensed on any frequency in the Industrial and Land Transportation Radio Services and on base station frequencies above 450 MHz in the Public Safety and Special Emergency Services may communicate on a secondary basis with other base stations, operational fixed stations, or fixed receivers authorized in these services only when:

(1) The messages to be transmitted are of immediate importance to mobile stations; or

(2) Wireline communications facilities between such points are inoperative, economically impracticable, or unavailable from communications common carrier sources. Temporary unavailability due to a busy wireline circuit is not considered to be within the provisions of this paragraph.

(c) Operational fixed stations may communicate with units of associated

mobile stations only on a secondary basis.

(d) Operational fixed stations licensed in the Industrial and Land Transportation Radio Services may communicate on a secondary basis with associated base stations licensed in these services when:

(1) The messages to be transmitted are of immediate importance to mobile stations; or

(2) Wireline communications facilities between such points are inoperative, economically impracticable, or unavailable from communications common carrier sources. Temporary unavailability due to a busy wireline circuit is not considered to be within the provisions of this paragraph.

(e) Travelers' Information Stations are authorized to transmit certain information to members of the traveling public (see § 90.242).

(f) CMRS Licensees in the SMR categories of Part 90, Subpart S, CMRS providers authorized in the 220 MHz service of Part 90, Subpart T, CMRS paging operations as defined by Part 90, Subpart P and for-profit interconnected business radio services with eligibility defined by Section 90.75 are permitted to utilize their assigned spectrum for fixed services on a co-primary basis with their mobile operations.

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**47 CFR Part 76**

[MM Docket No. 92-266; FCC 96-316]

**Implementation of Sections of the Cable Television Consumer Protection and Competition Act of 1992—Rate Regulation**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final Rule.

**SUMMARY:** In this *Memorandum Opinion and Order* ("Order"), the Commission revisits the decision in the *Third Report and Order* to require cable operators to use the same method of initial rate regulation, either benchmark or cost-of-service, for both the BST and the CPSTs. This requirement applies for one year from the date that the operator first becomes subject to regulation on any tier. The *Third Report and Order* sought to remove incentives to engage in retiering strategies during the initial rate setting process that would result in operators receiving more than compensatory rates. The Commission indicated that it would review the requirement after 18 months. Upon