

(A) Analog and digital AM, FM, and TV broadcast stations must conduct tests of the EAS header and EOM codes at least once a week at random days and times. Effective December 31, 2006, DAB stations must conduct these tests on all audio streams. Effective December 31, 2006, DTV stations must conduct these tests on all program streams.

(B) Analog cable systems and digital cable systems with 5,000 or more subscribers per headend and wireless cable systems with 5,000 or more subscribers must conduct tests of the EAS Header and EOM Codes at least once a week at random days and times on all programmed channels.

(C) Analog cable systems and digital cable systems serving fewer than 5,000 subscribers per headend and wireless cable systems with fewer than 5,000 subscribers must conduct tests of the EAS Header and EOM Codes at least once a week at random days and times on at least one programmed channel.

(D) SDARS providers must conduct tests of the EAS Header and EOM codes at least once a week at random days and times on all channels.

(ii) DBS providers, analog and digital class D non-commercial educational FM stations, and analog and digital LPTV stations are not required to transmit this test but must log receipt, as specified in §§ 11.35(a) and 11.54(b)(13).

(iii) The EAS weekly test is not required during the week that a monthly test is conducted.

(iv) EAS Participants are not required to transmit a video message when transmitting the required weekly test.

(3) *Periodic National Tests.* National Primary (NP) sources shall participate in tests as appropriate. The FCC may request a report of these tests.

(4) *EAS activations and special tests.* The EAS may be activated for emergencies or special tests at the State or Local Area level by an EAS Participant instead of the monthly or weekly tests required by this section. To substitute for a monthly test, activation must include transmission of the EAS header codes, Attention Signal, emergency message and EOM code and comply with the visual message requirements in § 11.51. To substitute for the weekly test of the EAS header codes

and EOM codes in paragraph (a)(2)(i) of this section, activation must include transmission of the EAS header and EOM codes. Analog and digital television broadcast stations, analog cable systems, digital cable systems, wireless cable systems, and DBS providers shall comply with the aural and visual message requirements in § 11.51. Special EAS tests at the State and Local Area levels may be conducted on daily basis following procedures in State and Local Area EAS plans.

(b) Entries shall be made in EAS Participant records, as specified in §§ 11.35(a) and 11.54(b)(13).

[70 FR 71038, Nov. 25, 2005]

PART 12—REDUNDANCY OF COMMUNICATIONS SYSTEMS

Sec.

12.1 Purpose.

12.2 Backup power.

12.3 911 and E911 analyses and reports.

AUTHORITY: Sections 1, 4(i), 4(j), 4(o), 5(c), 218, 219, 301, 303(g), 303(j), 303(r), 332, 403, 621(b)(3), and 621(d) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 154(o), 155(c), 218, 219, 301, 303(g), 303(j), 303(r), 332, 403, 621(b)(3), and 621(d), unless otherwise noted.

SOURCE: 72 FR 37673, July 11, 2007, unless otherwise noted.

§ 12.1 Purpose.

The rules in this part include requirements that will help ensure the resiliency, redundancy and reliability of communications systems, particularly 911 and E911 networks and/or systems.

§ 12.2 Backup power.

Local exchange carriers (LECs), including incumbent LECs (ILECs) and competitive LECs (CLECs), and commercial mobile radio service (CMRS) providers must have an emergency backup power source for all assets that are normally powered from local AC commercial power, including those inside central offices, cell sites, remote switches and digital loop carrier system remote terminals. LECs and CMRS providers should maintain emergency back-up power for a minimum of 24 hours for assets inside central offices and eight hours for cell sites, remote

switches and digital loop carrier system remote terminals that are normally powered from local AC commercial power. LECs that meet the definition of a Class B company as set forth in §32.11(b)(2) of the Commission's rules and non-nationwide CMRS providers with no more than 500,000 subscribers are exempt from this rule.

EFFECTIVE DATE NOTE: At 72 FR 37673, July 11, 2007, §12.2 was added, effective Aug. 10, 2007. At 72 FR 44978, Aug. 10, 2007, the addition was delayed until Oct. 9, 2007.

§12.3 911 and E911 analyses and reports.

The following entities must analyze their 911 and E911 networks and/or systems and provide a detailed report to the Commission on the redundancy, resiliency, and reliability of those networks and/or systems: Local exchange carriers (LECs), including incumbent LECs (ILECS) and competitive LECs (CLECs); commercial mobile radio service providers required to comply with the wireless 911 rules set forth in §20.18 of this chapter; and interconnected Voice over Internet Protocol (VoIP) service providers. LECs that meet the definition of a Class B company set forth in §32.11(b)(2) of this chapter, non-nationwide commercial mobile radio service providers with no more than 500,000 subscribers at the end of 2001, and interconnected VoIP service providers with annual revenues below the revenue threshold established pursuant to §32.11 of this chapter are exempt from this rule.

(a) The Public Safety and Homeland Security Bureau (PSHSB) has the delegated authority to implement and activate a process through which these reports will be submitted, including the authority to establish the specific data that will be required. Where relevant, these reports should include descriptions of the steps the service providers intend to take to ensure diversity and dependability in their 911 and E911 networks and/or systems, including any plans they have to migrate those networks and/or systems to a next generation Internet Protocol-based E911 platform.

(b) These reports are due 120 days from the date that the Commission or its staff announces activation of the

911 network and system reporting process.

(c) Reports filed under this Part will be presumed to be confidential. These reports will be shared with The National Emergency Number Association, The Association of Public Safety Communications Officials, and The National Association of State 9-1-1 Administrators only pursuant to a protective order. PSHSB has the delegated authority to issue such protective orders. All other access to these reports must be sought pursuant to procedures set forth in 47 CFR 0.461. Notice of any requests for inspection of these reports will be provided to the filers of the reports pursuant to 47 CFR 0.461(d)(3).

EFFECTIVE DATE NOTE: At 72 FR 37673, July 11, 2007, §12.3 was added. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

PART 13—COMMERCIAL RADIO OPERATORS

GENERAL

Sec.

- 13.1 Basis and purpose.
- 13.3 Definitions.
- 13.5 Licensed commercial radio operator required.
- 13.7 Classification of operator licenses and endorsements.
- 13.8 Authority conveyed.
- 13.9 Eligibility and application for new license or endorsement.
- 13.10 Licensee address.
- 13.11 Holding more than one commercial radio operator license.
- 13.13 Application for a renewed or modified license.
- 13.15 License term.
- 13.17 Replacement license.
- 13.19 Operator's responsibility.

EXAMINATION SYSTEM

- 13.201 Qualifying for a commercial operator license or endorsement.
- 13.203 Examination elements.
- 13.207 Preparing an examination.
- 13.209 Examination procedures.
- 13.211 Commercial radio operator license examination.
- 13.213 COLEM qualifications.
- 13.215 Question pools.
- 13.217 Records.

AUTHORITY: Secs. 4, 303, 48 Stat. 1066, 1082 as amended; 47 U.S.C. 154, 303.