

§ 15.714

TV bands device is for a certified device and may not provide service to an uncertified device.

(3) A TV bands database must not provide lists of available channels to uncertified TV bands devices for purposes of operation (it is acceptable for a TV bands database to distribute lists of available channels by means other than contact with TVBDs to provide list of channels for operation). To implement this provision, a TV bands database administrator shall obtain a list of certified TVBDs from the FCC Equipment Authorization System.

[74 FR 7326, Feb. 17, 2009, as amended at 75 FR 75840, Dec. 6, 2010; 77 FR 29247, May 17, 2012]

EFFECTIVE DATE NOTE: At 79 FR 48536, Aug. 15, 2014, §15.713 was amended by adding paragraphs (b)(2)(iv) and (h)(10), effective Oct. 14, 2014. Paragraphs (b)(2)(iv) and (h)(10) contain new or modified information collection requirements that are not effective until approved by the Office of Management and Budget. For the convenience of the user, the added text is set forth as follows:

§ 15.713 TV bands database.

(b) * * *

(2) * * *

(iv) 600 MHz band operations under part 27 of this chapter in areas where the licensee has commenced operations.

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(h) * * *

(10) 600 MHz band operations under part 27 of this chapter in areas where the licensee has commenced operations.

(i) License area of the 600 MHz band licensee, as defined under part 27 of this chapter;

(ii) Identification of the frequencies on which the part 27 600 MHz wireless licensee has commenced operations;

(iii) Call sign.

§ 15.714 TV bands database administration fees.

(a) A TV bands database administrator may charge a fee for provision of lists of available channels to fixed and personal/portable TVBDs and for registering fixed TVBDs.

(b) The Commission, upon request, will review the fees and can require changes in those fees if they are found to be excessive.

[74 FR 7326, Feb. 17, 2009, as amended at 75 FR 75842, Dec. 6, 2010]

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§ 15.715 TV bands database administrator.

The Commission will designate one or more entities to administer the TV bands database(s). The Commission may, at its discretion, permit the functions of a TV bands database, such as a data repository, registration, and query services, to be divided among multiple entities; however, it will designate specific entities to be a database administrator responsible for coordination of the overall functioning of a database and providing services to TVBDs. Each database administrator designated by the Commission shall:

(a) Maintain a database that contains the information described in §15.713.

(b) Establish a process for acquiring and storing in the database necessary and appropriate information from the Commission's databases and synchronizing the database with the current Commission databases at least once a week to include newly licensed facilities or any changes to licensed facilities.

(c) Establish a process for registering fixed TVBDs and registering and including in the database facilities entitled to protection but not contained in a Commission database, including MVPD receive sites.

(d) Establish a process for registering facilities where part 74 low power auxiliary stations are used on a regular basis.

(e) Provide accurate lists of available channels to fixed and personal/portable TVBDs that submit to it the information required under §§15.713(e), (f), and (g) based on their geographic location and provide accurate lists of available channels to fixed and Mode II devices requesting lists of available channels for Mode I devices. Database administrators may allow prospective operators of TV bands devices to query the database and determine whether there are vacant channels at a particular location.

(f) Establish protocols and procedures to ensure that all communications and interactions between the TV bands database and TVBDs are accurate and secure and that unauthorized parties cannot access or alter the database or the list of available channels sent to a

TVBD consistent with the provisions of § 15.713(i).

(g) Make its services available to all unlicensed TV band device users on a non-discriminatory basis.

(h) Provide service for a five-year term. This term can be renewed at the Commission's discretion.

(i) Respond in a timely manner to verify, correct and/or remove, as appropriate, data in the event that the Commission or a party brings claim of inaccuracies in the database to its attention. This requirement applies only to information that the Commission requires to be stored in the database.

(j) Transfer its database along with the IP addresses and URLs used to access the database and list of registered Fixed TVBDs, to another designated entity in the event it does not continue as the database administrator at the end of its term. It may charge a reasonable price for such conveyance.

(k) The database must have functionality such that upon request from the Commission it can indicate that no channels are available when queried by a specific TVBD or model of TVBDs.

(l) If more than one database is developed, the database administrators shall cooperate to develop a standardized process for providing on a daily basis or more often, as appropriate, the data collected for the facilities listed in § 15.713(b)(2) to all other TV bands databases to ensure consistency in the records of protected facilities.

(m) Provide a means to make all information the rules require the database to contain publicly available, including fixed TVBD registrations and voluntarily submitted protected entity information.

[74 FR 7326, Feb. 17, 2009, as amended at 77 FR 29247, May 17, 2012]

§ 15.717 TVBDs that rely on spectrum sensing.

(a) *Applications for certification.* Parties may submit applications for certification of TVBDs that rely solely on spectrum sensing to identify available channels. Devices authorized under this section must demonstrate with an extremely high degree of confidence that they will not cause harmful interference to incumbent radio services.

(1) In addition to the procedures in subpart J of part 2 of this chapter, applicants shall comply with the following.

(i) The application must include a full explanation of how the device will protect incumbent authorized services against interference.

(ii) Applicants must submit a pre-production device, identical to the device expected to be marketed.

(2) The Commission will follow the procedures below for processing applications pursuant to this section.

(i) Applications will be placed on public notice for a minimum of 30 days for comments and 15 days for reply comments. Applicants may request that portions of their application remain confidential in accordance with § 0.459 of this chapter. This public notice will include proposed test procedures and methodologies.

(ii) The Commission will conduct laboratory and field tests of the pre-production device. This testing will be conducted to evaluate proof of performance of the device, including characterization of its sensing capability and its interference potential. The testing will be open to the public.

(iii) Subsequent to the completion of testing, the Commission will issue by public notice, a test report including recommendations. The public notice will specify a minimum of 30 days for comments and, if any objections are received, an additional 15 days for reply comments.

(b) *Power limit for devices that rely on sensing.* The TVBD shall meet the requirements for personal/portable devices in this subpart except that it will be limited to a maximum EIRP of 50 mW per 6 megahertz of bandwidth on which the device operates and it does not have to comply with the requirements for geo-location and database access in § 15.711(b). Compliance with the detection threshold for spectrum sensing in § 15.717(c), although required, is not necessarily sufficient for demonstrating reliable interference avoidance. Once a device is certified, additional devices that are identical in electrical characteristics and antenna systems may be certified under the procedures of Part 2, Subpart J of this chapter.