

§ 22.957

§ 22.957 Mexican condition.

Pursuant to an agreement between the United States and Mexico, FCC authorizations for cellular systems within 72 kilometers (45 miles) of the United States-Mexican border must have the following condition attached:

This authorization is subject to the condition that, in the event cellular systems using the same frequencies granted herein are authorized in adjacent territory in Mexico, coordination of your transmitter installations which are within 72 kilometers (45 miles) of the United States-Mexico border shall be required to eliminate any harmful interference that might otherwise exist and to ensure continuance of equal access to the frequencies by both countries. The operator of this system shall not contract with customers in Mexico, and further, users of the system must be advised that operation of a mobile unit in Mexico is not permitted at this time without the express permission of the Mexican government. The above conditions are subject to modification pending further notice from the FCC.

§ 22.959 Rules governing processing of applications for initial systems.

Pending applications for authority to operate the first cellular system on a channel block in an MSA or RSA market continue to be processed under the rules governing the processing of such applications that were in effect when those applications were filed, unless the Commission determines otherwise in a particular case.

§ 22.960 Cellular operations in the Chambers, TX CMA (CMA672-A).

This section applies only to Cellular systems operating on channel block A of the Chambers, Texas CMA (CMA672-A).

(a) The geographic boundary of CMA672-A is deemed to be the Cellular Geographic Service Area (CGSA) boundary. This CGSA boundary is not determined using the methodology of § 22.911. The licensee of CMA672-A may not propose an expansion of this CGSA into another CMA unless and until it meets the construction requirement set forth in paragraph (b)(2) of this section.

(b) A licensee that holds the license for CMA672-A must be providing signal coverage and offering service as follows (and in applying these geographic con-

47 CFR Ch. I (10-1-16 Edition)

struction benchmarks, the licensee is to count total land area):

(1) To at least 35% of the geographic area of CMA672-A within four years of the grant of such authorization; and

(2) To at least 70% of the geographic area of its license authorization by the end of the license term.

(c) After it has met each of the requirements of paragraphs (b)(1) and (b)(2), respectively, of this section, the licensee that holds the license for CMA672-A must notify the FCC that it has met the requirement by submitting FCC Form 601, including GIS map files and other supporting documents showing compliance with the requirement. *See* § 1.946 of this chapter. *See also* § 22.953.

(d) Failure to meet the construction requirements set forth in paragraphs (b)(1) and (b)(2) of this section by each of the applicable deadlines will result in automatic termination of the license for CMA672-A and its return to the Commission for future re-licensing subject to competitive bidding procedures. The licensee that fails to meet each requirement of this section by the applicable deadline set forth in paragraphs (b)(1) and (b)(2) shall be ineligible to regain the license for CMA672-A.

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§ 22.961 Cellular licenses subject to competitive bidding.

(a) The following applications for Cellular licensed area authorizations are subject to competitive bidding:

(1) Mutually exclusive applications for Unserved Area filed after July 26, 1993; and

(2) Mutually exclusive applications for the initial authorization for CMA672-A (Chambers, TX).

(b) The competitive bidding procedures set forth in § 22.229 and the general competitive bidding procedures set forth in subpart Q of part 1 of this chapter will apply.

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