

§ 90.1323

transmitted simultaneously on all beams shall not exceed the limit specified in paragraph (b)(2) of this section by more than 8 dB.

(4) Transmitters that emit a single directional beam shall operate under the provisions of paragraph (b)(2) of this section.

(c) Mobile and portable stations are limited to 1 watt/25 MHz EIRP. In any event, the peak EIRP density shall not exceed 40 milliwatts in any one-megahertz slice of spectrum.

§ 90.1323 Emission limits.

(a) The power of any emission outside a licensee's frequency band(s) of operation shall be attenuated below the transmitter power (P) within the licensed band(s) of operation, measured in watts, by at least $43 + 10 \log (P)$ dB. Compliance with this provision is based on the use of measurement instrumentation employing a resolution bandwidth of 1 MHz or less, but at least one percent of the emission bandwidth of the fundamental emission of the transmitter, provided the measured energy is integrated over a 1 MHz bandwidth.

(b) When an emission outside of the authorized bandwidth causes harmful interference, the Commission may, at its discretion, require greater attenuation than specified in this section.

§ 90.1331 Restrictions on the operation of base and fixed stations.

(a)(1) Except as provided in paragraph (a)(2) of this section, base and fixed stations may not be located within 150 km of any grandfathered satellite earth station operating in the 3650–3700 MHz band. The coordinates of these stations are available at <http://www.fcc.gov/ib/sd/3650/>.

(2) Base and fixed stations may be located within 150 km of a grandfathered satellite earth station provided that the licensee of the satellite earth station and the 3650–3700 MHz licensee mutually agree on such operation.

(3) Any negotiations to enable base or fixed station operations closer than 150 km to grandfathered satellite earth stations must be conducted in good faith by all parties.

(b)(1) Except as specified in paragraph (b)(2) of this section, base and fixed stations may not be located with-

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in 80 km of the following Federal Government radiolocation facilities:

St. Inigoes, MD—38° 10' N., 76°, 23' W
Pensacola, FL—30° 21' 28" N., 87°, 16' 26" W
Pascagoula, MS—30° 22' N, 88° 29'

NOTE TO PARAGRAPH (b)(1): Licensees installing equipment in the 3650–3700 MHz band should determine if there are any nearby Federal Government radar systems that could affect their operations. Information regarding the location and operational characteristics of the radar systems operating adjacent to this band are provided in NTIA TR–99–361.

(2) Requests for base or fixed station locations closer than 80 km to the Federal Government radiolocation facilities listed in paragraph (b)(1) of this section will only be approved upon successful coordination by the Commission with NTIA through the Frequency Assignment Subcommittee of the Interdepartmental Radio Advisory Committee.

[70 FR 24726, May 11, 2005, as amended at 77 FR 76248, Dec. 27, 2012; 80 FR 36222, June 23, 2015]

§ 90.1333 Restrictions on the operation of mobile and portable stations.

(a) Mobile and portable stations may operate only if they can positively receive and decode an enabling signal transmitted by a base station.

(b) Any mobile/portable stations may communicate with any other mobile/portable stations so long as each mobile/portable can positively receive and decode an enabling signal transmitted by a base station.

(c) Airborne operations by mobile/portable stations is prohibited.

§ 90.1335 RF safety.

Licensees in the 3650–3700 MHz band are subject to the exposure requirements found in § 1.1307(b), 2.1091 and 2.1093 of our Rules.

§ 90.1337 Operation near Canadian and Mexican borders.

(a) Fixed devices generally must be located at least 8 kilometers from the U.S./Canada or U.S./Mexico border if the antenna of that device looks within the 160° sector away from the border. Fixed devices must be located at least 56 kilometers from each border if the

antenna looks within the 200° sector towards the border.

(b) Fixed devices may be located nearer to the U.S./Canada or U.S./Mexico border than specified in paragraph (a) of this section only if the Commission is able to coordinate such use with Canada or Mexico, as appropriate.

(c) Licensees must comply with the requirements of current and future agreements with Canada and Mexico regarding operation in U.S./Canada and U.S./Mexico border areas.

§90.1338 Grandfathered operation and transition to Citizens Broadband Radio Service.

(a) Fixed and base station registrations filed in ULS on or before April 17, 2015 that are constructed, in service, and fully compliant with the rules in part 90, subpart Z as of April 17, 2016 will be afforded protection from harmful interference caused by Citizens Broadband Radio Service users until the end of their license term (with one exception that fixed and base stations registered under licenses issued after January 8, 2013 will only be afforded protection until April 17, 2020), consistent with §90.1307. Protection criteria for such registered base stations are described in §96.21 of this chapter. Registrations originally filed after April 17, 2015 will only be afforded protection from harmful interference under this section within the licensee's Grandfathered Wireless Protection Zone, as defined in §§96.3 and 96.21 of this chapter.

(b) Existing licensees as of April 17, 2015 may add new mobile or portable stations (as defined in §90.1333) and/or add new subscriber units that operate above the power limit defined in §90.1333, only if they can positively receive and decode an enabling signal from a base station. Such units will be afforded protection within the licensee's Grandfathered Wireless Protection Zone (as defined in §§96.3 and 96.21 of this chapter) until April 17, 2020 or until the end of their license term, whichever is later (with one exception that mobile and portable stations associated with licenses issued after January 8, 2013 will only be afforded protection until April 17, 2020).

[80 FR 36222, June 23, 2015]

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