

§ 74.802

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means that the venue owner or operator uses 50 or more such devices for most events or productions.

Low power auxiliary station. An auxiliary station authorized and operated pursuant to the provisions set forth in this subpart. Devices authorized as low power auxiliary stations are intended to transmit over distances of approximately 100 meters for uses such as wireless microphones, cue and control communications, and synchronization of TV camera signals.

Motion picture producer. Motion picture producer refers to a person or organization engaged in the production or filming of motion pictures.

Professional sound company. Professional sound company refers to a person or organization that provides audio services that routinely use 50 or more low power auxiliary station devices, where the use of such devices is an integral part of major events or productions. Routinely using 50 or more low power auxiliary station devices means that the professional sound company uses 50 or more such devices for most events or productions.

Spectrum Act. Title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. 112–96).

Television program producer. Television program producer refers to a person or organization engaged in the production of television programs.

Wireless assist video device. An auxiliary station authorized and operated by motion picture and television program producers pursuant to the provisions of this subpart. These stations are intended to transmit over distances of approximately 300 meters for use as an aid in composing camera shots on motion picture and television sets.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[42 FR 14729, Mar. 16, 1977, as amended at 43 FR 14662, Apr. 7, 1978; 51 FR 4603, Feb. 6, 1986; 51 FR 9966, Mar. 24, 1986; 54 FR 41842, Oct. 12, 1989; 68 FR 12772, Mar. 17, 2003; 79 FR 40689, July 14, 2014; 80 FR 71728, Nov. 17, 2015; 82 FR 41559, Sept. 1, 2017]

§ 74.802 Frequency assignment.

(a)(1) Frequencies within the following bands may be assigned for use by low power auxiliary stations:

- 26.100–26.480 MHz
- 54.000–72.000 MHz

- 76.000–88.000 MHz
- 161.625–161.775 MHz (except in Puerto Rico or the Virgin Islands)
- 174.000–216.000 MHz
- 450.000–451.000 MHz
- 455.000–456.000 MHz
- 470.000–488.000 MHz
- 488.000–494.000 MHz (except Hawaii)
- 494.000–608.000 MHz
- 614.000–698.000 MHz
- 941.500–944.000 MHz
- 944.000–952.000 MHz
- 952.850–956.250 MHz
- 956.45–959.85 MHz
- 1435–1525 MHz
- 6875.000–6900.000 MHz
- 7100.000–7125.000 MHz

NOTE TO PARAGRAPH (a)(1): Frequency assignments in the 614.000–698.000 MHz band are subject to conditions established in proceedings pursuant to GN Docket No. 12–268. This band is being transitioned to the 600 MHz service band, the 600 MHz guard band, and the 600 MHz duplex gap during the post-incentive auction transition period (as defined in §27.4 of this chapter), which began on April 13, 2017. Low power auxiliary stations must comply with the applicable conditions with respect to any assignment to operate on frequencies repurposed for the 600 MHz service band, the 600 MHz guard band, and the 600 MHz duplex gap, respectively. This rule will be further updated, pursuant to public notice or subsequent Commission action, to reflect additional changes that implement the determinations made in these proceedings.

(2) The 653.000–657.000 MHz segment of the 600 MHz duplex gap may be assigned for use by low power auxiliary service.

NOTE TO PARAGRAPH (a)(2): The specific frequencies for the 600 MHz duplex gap will be determined in light of further proceedings pursuant to GN Docket No. 12–268 and the rule will be updated accordingly pursuant to a future public notice.

(b)(1) Operations in the bands allocated for TV broadcasting are limited to locations at least 4 kilometers outside the protected contours of co-channel TV stations shown in the following table. These contours are calculated using the methodology in §73.684 of this chapter and the R–6602 curves contained in §73.699 of this chapter.

Type of station	Protected contour		
	Channel	Contour (dBu)	Propagation curve
Analog: Class A TV, LPTV, translator and booster	Low VHF (2-6)	47	F(50,50)
	High VHF (7-13) UHF (14-51)	56 64	F(50,50) F(50,50)
Digital: Full service TV, Class A TV, LPTV, translator and booster.	Low VHF (2-6)	28	F(50,90)
	High VHF (7-13)	36	F(50,90)
	UHF (14-51)	41	F(50,90)

(2) Low power auxiliary stations may operate closer to co-channel TV broadcast stations than the distances specified in paragraph (b)(1) of this section provided that such operations either—

(i) Are coordinated with TV broadcast stations that could be affected by the low power auxiliary station operation, and coordination is completed prior to operation of the low power auxiliary station; or

(ii) Are limited to an indoor location that is not being used for over-the-air television viewing, and the following conditions are met with respect to the TV channel used: The TV signal falls below a threshold of -84 dBm over the entire channel; the signal is scanned across the full 6 megahertz channel where the wireless microphones would be operated; and to the extent that directional antennas are used, they are rotated to the place of maximum signal.

(c) Specific frequency operation is required when operating within the 600 MHz duplex gap or the bands allocated for TV broadcasting.

(1) The frequency selection shall be offset from the upper or lower band limits by 25 kHz or an integral multiple thereof.

(2) One or more adjacent 25 kHz segments within the assignable frequencies may be combined to form a channel whose maximum bandwidth shall not exceed 200 kHz.

(d) Low power auxiliary licensees will not be granted exclusive frequency assignments.

(e) *Clearing mechanisms for the 700 MHz Band.* This section sets forth provisions relating to the transition of low power auxiliary stations operating at 698-806 MHz (700 MHz band).

(1) Any low power auxiliary station that operates at frequencies in the 700

MHz band while transitioning its operations out of that band must not cause harmful interference and must accept interference from any commercial or public safety wireless licensees in the 700 MHz band.

(2) Any low power auxiliary station that operates at frequencies in the 700 MHz band will have until no later than June 12, 2010 to transition its operations completely out of the 700 MHz band, subject to the following. During this transition period, any commercial or public safety licensee in the 700 MHz band may choose one or both of the following voluntary methods to notify low power auxiliary stations:

(i) Any commercial or public safety licensee in the 700 MHz band may notify the Commission that it has initiated or will be initiating operations on specified frequencies in a particular market(s) in the 700 MHz band. The wireless operations initiated by the commercial or public safety 700 MHz licensees may include system testing or trials. Following receipt of the notification, the Commission will issue a public notice providing that operators of low power auxiliary stations, including wireless microphones, in the 700 MHz band in those market(s) will be required to cease operations within 60 days after the Commission's notice is released.

(ii) Any commercial or public safety licensee in the 700 MHz band may notify any low power auxiliary station users operating in the 700 MHz band that it has initiated or will be initiating operations on specified frequencies in the market in which the low power auxiliary station is operating. The wireless operations initiated by the commercial or public safety 700 MHz licensees may include system testing or trials. Upon receipt of such

notice, the low power auxiliary station in the affected market area must cease operation within 60 days.

(iii) In the event that both of these notice provisions in paragraphs (e)(2)(i) and (ii) of this section are used with respect to a particular low power auxiliary station, the low power auxiliary station will have to cease operations in the market(s) in accordance with whichever notice provides for earlier termination of its operations.

(3) Notwithstanding this 60 day notice requirement, any low power auxiliary station that causes harmful interference to any commercial or public safety 700 MHz licensee must cease operations immediately, consistent with the rules for secondary use.

(f) *Operations in 600 MHz band assigned to wireless licensees under part 27 of this chapter.* A low power auxiliary station that operates on frequencies in the 600 MHz band assigned to wireless licensees under part 27 of this chapter must cease operations on those frequencies no later than the end of the post-auction transition period, as defined in § 27.4 of this chapter. During the post-auction transition period, low power auxiliary stations will operate on a secondary basis to licensees of part 27 of this chapter, *i.e.*, they must not cause to and must accept harmful interference from these licensees, and must comply with the distance separations in § 15.236(e)(2) of this chapter from the areas specified in § 15.713(j)(10) of this chapter in which a licensee has commenced operations, as defined in § 27.4 of this chapter.

[52 FR 2535, Jan. 23, 1987, as amended at 68 FR 12772, Mar. 17, 2003; 75 FR 3638, Jan. 22, 2010; 79 FR 48545, Aug. 15, 2014; 80 FR 71728, Nov. 17, 2015; 80 FR 73085, Nov. 23, 2015; 81 FR 4975, Jan. 29, 2016; 82 FR 41560, Sept. 1, 2017]

§ 74.803 Frequency selection to avoid interference.

(a) Where two or more low power auxiliary licensees need to operate in the same area, the licensees shall endeavor to select frequencies or schedule operation in such manner as to avoid mutual interference. If a mutually satisfactory arrangement cannot be reached, the Commission shall be notified and it will specify the fre-

quency or frequencies to be employed by each licensee.

(b) The selection of frequencies in the bands allocated for TV broadcasting for use in any area shall be guided by the need to avoid interference to TV broadcast reception. In these bands, low power auxiliary station usage is secondary to TV broadcasting and land mobile stations operating in the UHF-TV spectrum and must not cause harmful interference. If such interference occurs, low power auxiliary station operation must immediately cease and may not be resumed until the interference problem has been resolved.

(c) In the 941.5–944 MHz, 944–952 MHz, 952.850–956.250 MHz, 956.45–959.85 MHz, 6875.000–6900.000 MHz, and 7100.000–7125.000 MHz bands low power auxiliary station usage is secondary to other uses (e.g. Aural Broadcast Auxiliary, Television Broadcast Auxiliary, Cable Relay Service, Fixed Point to Point Microwave) and must not cause harmful interference. In the 941.5–944 MHz band, low power auxiliary station usage also is secondary to Federal operations in the band. In each of these bands, applicants are responsible for selecting the frequency assignments that are least likely to result in mutual interference with other licensees in the same area. Applicants must consult local frequency coordination committees, where they exist, for information on frequencies available in the area. In selecting frequencies, consideration should be given to the relative location of receive points, normal transmission paths, and the nature of the contemplated operation.

(d) In the 1435–1525 MHz band, low power auxiliary station (LPAS) authorizations are limited to operations at fixed locations, and only to the extent that applicable requirements have been met for the proposed operations at those specified locations.

(1) Each authorization is limited to specific events or situations for which there is a need to deploy large numbers of LPAS for specified time periods, and use of other available spectrum resources at that particular location is insufficient to meet the LPAS licensee's needs.