

Federal Communications Commission

§ 90.617

which is vacated by a licensee relocating to channels 511-550 and remains vacant after band reconfiguration will be available as follows:

(1) Only to eligible applicants in the Public Safety Category until three years after the release of a public notice announcing the completion of band reconfiguration in that region;

(2) Only to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories from three to five years after the release of a public notice announcing the completion of band reconfiguration in that region;

(3) To all entities five years after release of a public notice announcing the completion of band reconfiguration in that region.

(c) Spectrum Block F1 consists of channels 236-260.

(d) Applicants may begin to license interstitial channels (denoted with an "a" after the channel number) only after the Wireless Telecommunications Bureau and the Public Safety and Homeland Security Bureau jointly release a public notice announcing the availability of those channels for licensing in a National Public Safety Planning Advisory Committee region.

[70 FR 6759, Feb. 8, 2005, as amended at 70 FR 76708, Dec. 28, 2005; 83 FR 61100, Nov. 27, 2018]

§ 90.617 Frequencies in the 809.750-824/854.750-869 MHz, and 896-901/935-940 MHz bands available for trunked, conventional or cellular system use in non-border areas.

The following channels will be available at locations farther than 110 km (68.4 miles) from the U.S./Mexico border and 140 km (87 miles) from the U.S./Canadian border ("non-border areas").

(a) Unless otherwise specified, the channels listed in Table 1 and paragraph (a)(1) of this section are available for to eligible applicants in the Public Safety Category which consists of licensees eligible in the Public Safety Pool of subpart B of this part. 800 MHz high density cellular systems as defined in § 90.7 are prohibited on these channels. These frequencies are available in non-border areas. Specialized Mobile Radio Systems will not be authorized in this category. These channels are available for intercategory sharing as indicated in § 90.621(e).

TABLE 1—PUBLIC SAFETY POOL 806-816/851-861 MHz BAND CHANNELS
[139 Channels]

Group No.	Channel Nos.
269	269-289-311-399-439.
269a	269a-289a-311a-399a-439a.
270	270-290-312-400-440.
270a	270a-290a-312a-400a-440a.
279	279-299-319-339-359.
279a	279a-299a-319a-339a-359a.
280	280-300-320-340-360.
280a	280a-300a-320a-340a-360a.
309	309-329-349-369-389.
309a	309a-329a-349a-369a-389a.
310	310-330-350-370-390.
310a	310a-330a-350a-370a-390a.
313	313-353-393-441-461.
313a	313a-353a-393a-441a-461a.
314	314-354-394-448-468.
314a	314a-354a-394a-448a-468a.
321	321-341-361-381-419.
321a	321a-341a-361a-381a-419a.
328	328-348-368-388-420.
328a	328a-348a-368a-388a-420a.
351	351-379-409-429-449.
351a	351a-379a-409a-429a-449a.
352	352-380-410-430-450.
332a	352a-380a-410a-430a-450a.
Single Channels.	391, 392, 401, 408, 421, 428, 459, 460, 469, 470, 391a, 392a, 401a, 408a, 421a, 428a, 459a, 460a, 469a.

(1) Channels numbers 1-230 are also available to eligible applicants in the Public Safety Category in non-border areas. The assignment of these channels will be done in accordance with the policies defined in the Report and Order in Gen. Docket No. 87-112 (See § 90.16). The following channels are available only for mutual aid purposes as defined in Gen. Docket No. 87-112: Channels 1, 39, 77, 115, 153. Mobile and portable radios operating on the mutual aid channels shall employ analog FM emission.

(2) Except as provided in paragraph (a)(3) of this section, the channels listed in Table 1A are available in the counties listed in § 90.614(c) to eligible applicants in the Public Safety Category. 800 MHz high density cellular systems as defined in § 90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in § 90.621(e).

TABLE 1A—PUBLIC SAFETY POOL 806-813.5/851-858.5 MHz BAND CHANNELS FOR COUNTIES IN SOUTHEASTERN U.S.
[139 Channels]

Group No.	Channel Nos.
261	261-313-324-335-353.

§ 90.617

47 CFR Ch. I (10–1–19 Edition)

TABLE 1A—PUBLIC SAFETY POOL 806–813.5/
851–858.5 MHz BAND CHANNELS FOR COUN-
TIES IN SOUTHEASTERN U.S.—Continued
[139 Channels]

Group No.	Channel Nos.
261a	261a–313a–324a–335a–353a.
262	262–314–325–336–354.
262a	262a–314a–325a–336a–354a.
265	265–285–315–333–351.
265a	265a–285a–315a–333a–351a.
266	266–286–316–334–352.
266a	266a–286a–316a–334a–352a.
269	269–289–311–322–357.
269a	269a–289a–311a–322a–357a.
270	270–290–312–323–355.
270a	270a–290a–312a–323a–355a.
271	271–328–348–358–368.
271a	271a–328a–348a–358a–368a.
279	279–299–317–339–359.
279a	279a–299a–317a–339a–359a.
280	280–300–318–340–360.
280a	280a–300a–318a–340a–360a.
309	309–319–329–349–369.
309a	309a–319a–329a–349a–369a.
310	310–320–330–350–370.
310a	310a–320a–330a–350a–370a.
321	321–331–341–361–372.
321a	321a–331a–341a–361a–372a.
Single Channels.	326, 327, 332, 337, 338, 342, 343, 344, 345, 356, 326a, 327a, 332a, 337a, 338a, 342a, 343a, 344a, 345a, 356a.

TABLE 1B—PUBLIC SAFETY POOL 806–813.5/
851–858.5 MHz BAND CHANNELS FOR AT-
LANTA, GA—Continued
[139 Channels]

Group No.	Channel Nos.
286	286–316–334–352–380.
286a	286a–316a–334a–352a–380a.
309	309–329–349–369–389.
309a	309a–329a–349a–369a–389a.
310	310–330–350–370–390.
310a	310a–330a–350a–370a–390a.
321	321–331–341–361–381.
321a	321a–331a–341a–361a–381a.
328	328–348–358–368–388.
328a	328a–348a–358a–368a–388a.
Single Channels.	317, 318, 326, 327, 332, 337, 338, 356, 371, 372, 317a, 318a, 326a, 327a, 332a, 337a, 338a, 356a, 371a.

(b) Unless otherwise specified, the channels listed in Table 2 are available to applicants eligible in the Industrial/Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in § 90.603(c). 800 MHz high density cellular systems as defined in § 90.7 are prohibited on these channels. These frequencies are available in non-border areas. Specialized Mobile Radio (SMR) systems will not be authorized on these frequencies. These channels are available for inter-category sharing as indicated in § 90.621(e).

(3) The channels listed in Table 1B are available within 113 km (70 mi) of the center city coordinates of Atlanta, GA to eligible applicants in the Public Safety Category. The center city coordinates of Atlanta, GA—for the purposes of the rule—are defined as 33°44'55" NL, 84°23'17" WL. 800 MHz high density cellular systems as defined in § 90.7 are prohibited on these channels. These channels are available for inter-category sharing as indicated in § 90.621(e).

TABLE 2—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806–816/851–861 MHz BAND CHANNELS

[200 Channels]

Group No.	Channel Nos.
322	322–362–402–442–482.
322a	322a–362a–402a–442a–482a.
323	323–363–403–443–483.
323a	323a–363a–403a–443a–483a.
324	324–364–404–444–484.
324a	324a–364a–404a–444a–484a.
325	325–365–405–445–485.
325a	325a–365a–405a–445a–485a.
326	326–366–406–446–486.
326a	326a–366a–406a–446a–486a.
327	327–367–407–447–487.
327a	327a–367a–407a–447a–487a.
342	342–382–422–462–502.
342a	342a–382a–422a–462a–502a.
343	343–383–423–463–503.
343a	343a–383a–423a–463a–503a.
344	344–384–424–464–504.
344a	344a–384a–424a–464a–504a.
345	345–385–425–465–505.
345a	345a–385a–425a–465a–505a.
346	346–386–426–466–506.
346a	346a–386a–426a–466a–506a.
347	347–387–427–467–507.
347a	347a–387a–427a–467a–507a.

TABLE 1B—PUBLIC SAFETY POOL 806–813.5/
851–858.5 MHz BAND CHANNELS FOR AT-
LANTA, GA

[139 Channels]

Group No.	Channel Nos.
261	261–313–324–335–353.
261a	261a–313a–324a–335a–353a.
262	262–314–325–336–354.
262a	262a–314a–325a–336a–354a.
269	269–289–311–322–357.
269a	269a–289a–311a–322a–357a.
270	270–290–312–323–355.
270a	270a–290a–312a–323a–355a.
279	279–299–319–339–359.
279a	279a–299a–319a–339a–359a.
280	280–300–320–340–360.
280a	280a–300a–320a–340a–360a.
285	285–315–333–351–379.
285a	285a–315a–333a–351a–379a.

Federal Communications Commission

§ 90.617

TABLE 2—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806–816/851–861 MHz BAND CHANNELS—Continued
[200 Channels]

Group No.	Channel Nos.
Single Channels.	261, 271, 281, 291, 301, 262, 272, 282, 292, 302, 263, 273, 283, 293, 303, 264, 274, 284, 294, 304, 265, 275, 285, 295, 305, 266, 276, 286, 296, 306, 267, 277, 287, 297, 307, 268, 278, 288, 298, 308. 261a, 271a, 281a, 291a, 301a, 262a, 272a, 282a, 292a, 302a, 263a, 273a, 283a, 293a, 303a, 264a, 274a, 284a, 294a, 304a, 265a, 275a, 285a, 295a, 305a, 266a, 276a, 286a, 296a, 306a, 267a, 277a, 287a, 297a, 307a, 268a, 278a, 288a, 298a, 308a.

(1) Except as provided in paragraph (b)(2) of this section, the channels listed in Table 2A are available in the counties listed in §90.614(c) to eligible applicants in the Industrial/Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in §90.603(c). 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e).

TABLE 2A—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806–813.5/851–858.5 MHz BAND FOR CHANNELS IN SOUTHEASTERN U.S.
[137 Channels]

Group No.	Channel Nos.
Single Channels.	263, 264, 267, 268, 272, 273, 274, 275, 276, 277, 278, 281, 282, 283, 284, 287, 288, 291, 292, 293, 294, 295, 296, 297, 298, 301, 302, 303, 304, 305, 306, 307, 308, 346, 347, 362, 363, 364, 365, 366, 367, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 399, 400, 401, 403, 403, 404, 405, 406, 407, 408, 409, 410. 263a, 264a, 267a, 268a, 272a, 273a, 274a, 275a, 276a, 277a, 278a, 281a, 282a, 283a, 284a, 287a, 288a, 291a, 292a, 293a, 294a, 295a, 296a, 297a, 298a, 301a, 302a, 303a, 304a, 305a, 306a, 307a, 308a, 346a, 347a, 362a, 363a, 364a, 365a, 366a, 367a, 379a, 380a, 381a, 382a, 383a, 384a, 385a, 386a, 387a, 388a, 389a, 390a, 391a, 392a, 393a, 394a, 399a, 400a, 401a, 403a, 403a, 404a, 405a, 406a, 407a, 408a, 409a.

(2) The channels listed in Table 2B are available within 113 km (70 mi) of the center city coordinates of Atlanta, GA, to eligible applicants in the Industrial/Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in §90.603(c). The center city coordinates of Atlanta,

GA—for the purposes of the rule—are defined as 33°44'55" NL, 84°23'17" WL. 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e).

TABLE 2B—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806–813.5/851–858.5 MHz BAND FOR CHANNELS IN ATLANTA, GA
[137 Channels]

Group No.	Channel Nos.
Single Channels.	263, 264, 265, 266, 267, 268, 271, 272, 273, 274, 275, 276, 277, 278, 281, 282, 283, 284, 287, 288, 291, 292, 293, 294, 295, 295, 297, 298, 301, 302, 303, 304, 305, 306, 307, 308, 342, 343, 344, 345, 346, 347, 362, 363, 364, 365, 366, 367, 382, 383, 384, 385, 386, 387, 391, 392, 393, 394, 399, 400, 401, 402, 403, 404, 405, 406, 407, 409, 410. 263a, 264a, 265a, 266a, 267a, 268a, 271a, 272a, 273a, 274a, 275a, 276a, 277a, 278a, 281a, 282a, 283a, 284a, 287a, 288a, 291a, 292a, 293a, 294a, 295a, 295a, 297a, 298a, 301a, 302a, 303a, 304a, 305a, 306a, 307a, 308a, 342a, 343a, 344a, 345a, 346a, 347a, 362a, 363a, 364a, 365a, 366a, 367a, 382a, 383a, 384a, 385a, 386a, 387a, 391a, 392a, 393a, 394a, 399a, 400a, 401a, 402a, 403a, 404a, 405a, 406a, 407a, 409a.

(c) The channels listed in Table 3 are available to applicants eligible in the Industrial/Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in §90.603(c). These frequencies are available in non-border areas. Specialized Mobile Radio (SMR) systems will not be authorized on these frequencies. These channels are available for intercategory sharing as indicated in §90.621(e).

For multi-channel systems, channels may be grouped vertically or horizontally as they appear in the following table.

TABLE 3—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 896–901/935–940 MHz BAND CHANNELS
[199 channels]

Group No.	Channel Nos.
11–12–13–14–15	211–212–213–214–215
16–17–18–19–20	216–217–218–219–220
31–32–33–34–35	231–232–233–234–235

§ 90.617

47 CFR Ch. I (10–1–19 Edition)

TABLE 3—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 896–901/935–940 MHz BAND CHANNELS—Continued

[199 channels]

36–37–38–39–40	236–237–238–239–240
51–52–53–54–55	251–252–253–254–255
56–57–58–59–60	256–257–258–259–260
71–72–73–74–75	271–272–273–274–275
76–77–78–79–80	276–277–278–279–280
91–92–93–94–95	291–292–293–294–295
96–97–98–99–100	296–297–298–299–300
111–112–113–114–115	311–312–313–314–315
116–117–118–119–120	316–317–318–319–320
131–132–133–134–135	331–332–333–334–335
136–137–138–139–140	336–337–338–339–340
151–152–153–154–155	351–352–353–354–355
156–157–158–159–160	356–357–358–359–360
171–172–173–174–175	371–372–373–374–375
176–177–178–179–180	376–377–378–379–380
191–192–193–194–195	391–392–393–394–395
196–197–198–199–200	396–397–398–399

(d) Unless otherwise specified, the channels listed in Tables 4A and 4B are available only to eligibles in the SMR category—which consists of Specialized

Mobile Radio (SMR) stations and eligible end users. 800 MHz high density cellular systems, as defined in §90.7, are prohibited on these channels. These frequencies are available in non-border areas. The spectrum blocks listed in Table 4A are available for EA-based services (as defined by §90.681) prior to January 21, 2005. No new EA-based services will be authorized after January 21, 2005. EA-based licensees who operate non-high-density cellular systems prior to January 21, 2005, may choose to remain on these channels in the non-high-density cellular portion of the 800 MHz band (as defined in §90.614). These licensees may continue to operate non-high-density cellular systems and will be grandfathered indefinitely. The channels listed in Table 4B will be available for site-based licensing after January 21, 2005, in any Economic Area where no EA-based licensee is authorized for these channels.

TABLE 4A—EA-BASED SMR CATEGORY 806–816/851–861 MHz BAND CHANNELS, AVAILABLE PRIOR TO JANUARY 21, 2005

[80 Channels]

Spectrum block	Channel Nos.
G	311–351–391–431–471
H	312–352–392–432–472
I	313–353–393–433–473
J	314–354–394–434–474
K	315–355–395–435–475
L	316–356–396–436–476
M	317–357–397–437–477
N	318–358–398–438–478
O	331–371–411–451–491
P	332–372–412–452–492
Q	333–373–413–453–493
R	334–374–414–454–494
S	335–375–415–455–495
T	336–376–416–456–496
U	337–377–417–457–497
V	338–378–418–458–498

TABLE 4B—SMR CATEGORY 806–816/851–861 MHz BAND CHANNELS, AVAILABLE AFTER JANUARY 21, 2005, FOR SITE-BASED LICENSING

[160 Channels]

Group No.	Channel Nos.
315	315–355–395–435–475.
315a	315a–355a–395a–435a–475a.
316	316–356–396–436–476.
316a	316a–356a–396a–436a–476a.
317	317–357–397–437–477.
317a	317a–357a–397a–437a–477a.
318	318–358–398–438–478.
318a	318a–358a–398a–438a–478a.
331	331–371–411–451–491.
331a	331a–371a–411a–451a–491a.
332	332–372–412–452–492.

Federal Communications Commission

§ 90.617

TABLE 4B—SMR CATEGORY 806–816/851–861 MHz BAND CHANNELS, AVAILABLE AFTER JANUARY 21, 2005, FOR SITE-BASED LICENSING—Continued
[160 Channels]

Group No.	Channel Nos.
332a	332a–372a–412a–452a–492a.
333	333–373–413–453–493.
333a	333a–373a–413a–453a–493a.
334	334–374–414–454–494.
334a	334a–374a–414a–454a–494a.
335	335–375–415–455–495.
335a	335a–375a–415a–455a–495a.
336	336–376–416–456–496.
336a	336a–376a–416a–456a–496a.
337	337–377–417–457–497.
337a	337a–377a–417a–457a–497a.
338	338–378–418–458–498.
338a	338a–378a–418a–458a–498a.
Single Channels	431, 432, 433, 434, 471, 472, 473, 474, 479, 480, 481, 488, 489, 490, 499, 500, 501, 508, 509, 510. 431a, 432a, 433a, 434a, 471a, 472a, 473a, 474a, 479a, 480a, 481a, 488a, 489a, 490a, 499a, 500a, 501a, 508a, 509a, 510a.

(1) Except as provided in paragraph (d)(2) of this section, the channels listed in Table 4C are available in the counties listed in §90.614(c) for non-high-density cellular operations only to eligibles in the SMR category—which consists of Specialized Mobile

Radio (SMR) stations and eligible end users. 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e).

TABLE 4C—SMR CATEGORY 806–813.5/851–858.5 MHz BAND CHANNELS AVAILABLE FOR SITE-BASED LICENSING IN SOUTHEASTERN U.S. AFTER JANUARY 21, 2005
[22 Channels]

	Channel Nos.
Single Channels	371, 373, 374, 375, 376, 377, 378, 395, 396, 397, 398. 371a, 373a, 374a, 375a, 376a, 377a, 378a, 395a, 396a, 397a, 398a.

(2) The channels listed in Table 4D are available within 113 km (70 mi) of the center city coordinates of Atlanta, GA, only to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. The center city coordinates of Atlanta, GA—for the purposes of this rule—are defined as 33°44'55" NL, 84°23'17" WL. 800 MHz high density cel-

lular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e). 800 MHz high density cellular systems as defined in §90.7 are prohibited on these channels. These channels are available for intercategory sharing as indicated in §90.621(e).

TABLE 4D—SMR CATEGORY 806–813.5/851–858.5 MHz BAND CHANNELS AVAILABLE FOR SITE-BASED LICENSING IN ATLANTA, GA AFTER JANUARY 21, 2005
[22 Channels]

	Channel Nos.
Single Channels	373, 374, 375, 376, 377, 378, 395, 396, 397, 398, 408. 373a, 374a, 375a, 376a, 377a, 378a, 395a, 396a, 397a, 398a, 408a.

§ 90.617

(e) The Channels listed in § 90.614(b) and (c) are available to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. ESMR licensees which employ an 800 MHz high density cellular system, as defined in § 90.7, are permitted to operate on these channels in non-border areas. ESMR licensees authorized prior to January 21, 2005, may continue to operate, if they so choose, on the channels listed in Table 5. These licensees will be grandfathered indefinitely.

TABLE 5—ESMR CATEGORY 816–821 MHZ BAND CHANNELS FOR CELLULAR OPERATIONS IN NON-BORDER AREAS AVAILABLE PRIOR TO JANUARY 21, 2005
[200 Channels]

Spectrum block	Channel Nos.
A	511 through 530.
B	531 through 590.
C	591 through 710.

(f) The channels listed in Tables 6 are available for operations only to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. These frequencies are available in non-border areas. The spectrum blocks listed below are available for EA-based services according to § 90.681.

TABLE 6—SMR CATEGORY 896–901/935–940 MHZ BAND CHANNELS
[200 channels]

Block	Channel Nos.
A	1–2–3–4–5–6–7–8–9–10
B	21–22–23–24–25–26–27–28–29–30
C	41–42–43–44–45–46–47–48–49–50
D	61–62–63–64–65–66–67–68–69–70
E	81–82–83–84–85–86–87–88–89–90
F	101–102–103–104–105–106–107–108–109–110
G	121–122–123–124–125–126–127–128–129–130
H	141–142–143–144–145–146–147–148–149–150
I	161–162–163–164–165–166–167–168–169–170
J	181–182–183–184–185–186–187–188–189–190
K	201–202–203–204–205–206–207–208–209–210
L	221–222–223–224–225–226–227–228–229–230

47 CFR Ch. I (10–1–19 Edition)

TABLE 6—SMR CATEGORY 896–901/935–940 MHZ BAND CHANNELS—Continued
[200 channels]

Block	Channel Nos.
M	241–242–243–244–245–246–247–248–249–250
N	261–262–263–264–265–266–267–268–269–270
O	281–282–283–284–285–286–287–288–289–290
P	301–302–303–304–305–306–307–308–309–310
Q	321–322–323–324–325–326–327–328–329–330
R	341–342–343–344–345–346–347–348–349–350
S	361–362–363–364–365–366–367–368–369–370
T	381–382–383–384–385–386–387–388–389–390

(g) In a given NPSPAC region, channels below 471 listed in Tables 2 and 4B which are vacated by licensees relocating to channels 551–830 and which remain vacant after band reconfiguration will be available as indicated in § 90.617(g)(1 through 3). The only exception will be for the counties listed in § 90.614(c). At locations greater than 113 km (70 mi) from the center city coordinates of Atlanta, GA within the counties listed in § 90.614(c), the channels listed in Tables 2A and 4C which are vacated by licensees relocating to channels 411–830 and which remain vacant after band reconfiguration will be available as indicated in § 90.617(g)(1 through 3). At locations within 113 km (70 mi) of the center city coordinates of Atlanta, GA, the channels listed in Tables 2B and 4D which are vacated by licensees relocating to channels 411–830 and which remain vacant after band reconfiguration will be available as follows:

(1) Only to eligible applicants in the Public Safety Category until three years after the release of a public notice announcing the completion of band reconfiguration in that region;

(2) Only to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories from three to five years after the release of a public notice announcing the completion of band reconfiguration in that region;

(3) Five years after the release of a public notice announcing the completion of band reconfiguration in that region, these channels revert back to their original pool categories.

(h) In a given 800 MHz NPSPAC region—except for the counties listed in § 90.614(c)—channels below 471 listed in Tables 2 and 4B which are vacated by a licensee relocating to channels 511–550 and remain vacant after band reconfiguration will be available as follows:

(1) Only to eligible applicants in the Public Safety Category until three years after the release of a public notice announcing the completion of band reconfiguration in that region;

(2) Only to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories from three to five years after the release of a public notice announcing the completion of band reconfiguration in that region;

(3) Five years after the release of a public notice announcing the completion of band reconfiguration in that region, these channels revert back to their original pool categories.

(i) Special Mobilized Radio Systems licensees who operate systems, other than 800 MHz high density cellular systems, on any of the public safety channels listed in Table 1 prior to January 21, 2005, are grandfathered and may continue to operate on these channels indefinitely. These grandfathered licensees will be prohibited from operating 800 MHz high density cellular systems as defined in § 90.7. Site-based licensees who are grandfathered on any of the public safety channels listed in Table 1 may modify their license only if they obtain concurrence from a certified public safety coordinator in accordance with § 90.175(c). Grandfathered EA-based licensees, however, are exempt from any of the frequency coordination requirements of § 90.175 as long as their operations remain within the Economic Area defined by their license in accordance with the requirements of § 90.683(a).

(j) Licensees operating 800 MHz high density cellular systems on the channels listed in § 90.614(a), prior to January 21, 2005, may elect to continue operating on these channels and will be permitted to continue operating 800 MHz high density cellular systems (as defined in § 90.7) in this portion of the band. These licensees will be grandfathered indefinitely subject to the provisions of §§ 90.673, 90.674 and 90.675.

(k) Licensees may operate systems other than 800 MHz high density cellular systems (as defined in § 90.7) on Channels 511–550 at any location vacated by an EA-based SMR licensee. For operations on these channels, unacceptable interference (as defined in § 22.970 of this chapter and § 90.672) will be deemed to occur only at sites where the following median desired signals are received (rather than those specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i). The minimum required median desired signal, as measured at the R.F. input of the receiver, will be as follows:

(1) Mobile units (except in Puerto Rico and the U.S. Virgin Islands):

(i) For channels 511 to 524—the minimum median desired signal levels specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 524 to 534—the minimum median desired signal level shall increase linearly from the values specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) to –70 dBm;

(iii) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(2) Portable units (except in Puerto Rico and the U.S. Virgin Islands):

(i) For channels 511 to 524—the minimum median desired signal levels specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 524 to 530—the minimum median desired signal level shall increase linearly from the values specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) to –80 dBm;

(iii) For channels 530 to 534—the minimum median desired signal level shall increase linearly from –80 dBm to –70 dBm;

(iv) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(3) Mobile units operating in Puerto Rico and the U.S. Virgin Islands:

(i) For channels 511 to 530—the minimum median desired signal levels specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 531 to 534—the minimum median desired signal level shall

§90.619

47 CFR Ch. I (10–1–19 Edition)

increase linearly from –80.2 dBm to –70 dBm;

(iii) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(4) Portable units operating in Puerto Rico and the U.S. Virgin Islands:

(i) For channels 511 to 530—the minimum median desired signal levels specified in §22.970(a)(1)(i) of this chapter and §90.672(a)(1)(i) shall apply;

(ii) For channels 531 to 534—the minimum median desired signal level shall increase linearly from –80 dBm to –70 dBm;

(iii) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(l) Applicants may begin to license interstitial pool channels (denoted with an “a” after the channel number) listed in paragraphs (a) through (d) of this section only after the Wireless Telecommunications Bureau and the Public Safety and Homeland Security Bureau jointly release a public notice announcing the availability of those channels for licensing in a National Public Safety Planning Advisory Committee region.

(m) Incumbent licensees in the 470–512 MHz band in the urban areas specified in §90.303 of the Commission’s rules are given priority access over mutually exclusive applicants for a three-year period to all interstitial channel pairs in the public safety pool or the business/industrial/land transportation pool listed above for which they are eligible, provided that any relocating T-Band incumbent must commit to surrendering an equal amount of 470–512 MHz spectrum on a channel-for-channel basis. The three-year period begins on the date these channel pairs become available for licensing in a National Public Safety Planning Advisory Committee region. Priority access applies to any applicant seeking to license a base station within 80 kilometers (50 miles) or mobile units or control stations within 128 kilometers (80 miles) of the geographic center of the urban-

ized areas listed in §90.303 of the Commission’s rules.

[69 FR 67843, Nov. 22, 2004, as amended at 70 FR 6760, Feb. 8, 2005; 70 FR 76708, Dec. 28, 2005; 72 FR 39760, July 20, 2007; 75 FR 35317, June 22, 2010; 76 FR 11683, Mar. 3, 2011; 81 FR 30201, May 16, 2016; 83 FR 61100, Nov. 27, 2018]

§90.619 Operations within the U.S./Mexico and U.S./Canada border areas.

(a) *Use of frequencies in 800 MHz band in Mexico border region.* All operations in the 806–824/851–869 MHz band within 110 km (68.35 miles) of the U.S./Mexico border (“Sharing Zone”) shall be in accordance with international agreements between the U.S. and Mexico.

(1) The U.S. and Mexico divide primary access to channels in the Sharing Zone as indicated in Table A1 below.

TABLE A1—U.S. AND MEXICO PRIMARY CHANNELS IN SHARING ZONE

Channels	Primary access
1–360	U.S.
361–610	Mexico.
611–830	U.S.-Mexico Co-Primary.

(2) Stations authorized on U.S. primary channels in the Sharing Zone are subject to the effective radiated power (ERP) and antenna height limits listed below in Table A2.

TABLE A2—LIMITS ON EFFECTIVE RADIATED POWER (ERP) AND ANTENNA HEIGHT

Average of the antenna height above average terrain on standard radials in the direction of the common border (meters) ¹	Maximum ERP in any direction toward the common border per 25 kHz (watts)
0 to 503	500
Above 503 to 609	350
Above 609 to 762	200
Above 762 to 914	140
Above 914 to 1066	100
Above 1066 to 1219	75
Above 1219 to 1371	70
Above 1371 to 1523	65
Above 1523	5

¹ Standard radials are 0°, 45°, 90°, 135°, 180°, 225°, 270° and 315° to True North. The height above average terrain on any standard radial is based upon the average terrain elevation above mean sea level.

(3) Stations may be authorized on channels primary to Mexico in the Sharing Zone provided the maximum power flux density (PFD) at any point at or beyond the border does not exceed –107 db(W/m²) per 25 kHz of bandwidth. Licensees may exceed this value only if