

to add customers) will not be considered major modifications even if such changes increase the size or coverage of the service area, or interference potential.

**§ 27.1255 Relocation criteria for Broadband Radio Service licensees in the 2150–2160/62 MHz band.**

(a) An AWS licensee in the 2150–2160/62 MHz band, prior to initiating operations from any base or fixed station that is co-channel to the 2150–2160/62 MHz band, must relocate any incumbent BRS system that is within the line of sight of the AWS licensee's base or fixed station. For purposes of this section, a determination of whether an AWS facility is within the line of sight of a BRS system will be made as follows:

(1) For a BRS system using the 2150–2160/62 MHz band exclusively to provide one-way transmissions to subscribers, the AWS licensee will determine whether there is an unobstructed signal path (line of sight) to the incumbent licensee's geographic service area (GSA), based on the following criteria: use of 9.1 meters (30 feet) for the receiving antenna height, use of the actual transmitting antenna height and terrain elevation, and assumption of 4/3 Earth radius propagation conditions. Terrain elevation data must be obtained from the U.S. Geological Survey (USGS) 3-second database. All coordinates used in carrying out the required analysis shall be based upon use of NAD-83.

(2) For all other BRS systems using the 2150–2160/62 MHz band, the AWS licensee will determine whether there is an unobstructed signal path (line of sight) to the incumbent licensee's receive station hub using the method prescribed in "Methods for Predicting Interference from Response Station Transmitters and to Response Station Hubs and for Supplying Data on Response Station Systems. MM Docket 97–217," in Amendment of Parts 1, 21 and 74 to Enable Multipoint Distribution Service and Instructional Television Fixed Service Licensees to Engage in Fixed Two-Way Transmissions, MM Docket No. 97–217, *Report and Order on Further Reconsideration and Further*

*Notice of Proposed Rulemaking*, 15 FCC Rcd 14566 at 14610, Appendix D.

(b) Any AWS licensee in the 2110–2180 MHz band that causes actual and demonstrable interference to a BRS licensee in the 2150–2160/62 MHz band must take steps to eliminate the harmful interference, up to and including relocation of the BRS licensee, regardless of whether it would be required to do so under paragraph (a), of this section.

**Subpart N—600 MHz Band**

SOURCE: 79 FR 48539, Aug. 15, 2014, unless otherwise noted.

COMPETITIVE BIDDING PROVISIONS

**§ 27.1300 600 MHz band subject to competitive bidding.**

As required by section 6403(c) of the Spectrum Act, applications for 600 MHz band initial licenses are subject to competitive bidding. The general competitive bidding procedures set forth in 47 CFR part 1, subpart Q will apply unless otherwise provided in this subpart.

**§ 27.1301 Designated entities in the 600 MHz band.**

(a) *Small business.* (1) A small business is an entity that, together with its affiliates, its controlling interests, and the affiliates of its controlling interests, has average gross revenues not exceeding \$55 million for the preceding three (3) years.

(2) A very small business is an entity that, together with its affiliates, its controlling interests, and the affiliates of its controlling interests, has average gross revenues not exceeding \$20 million for the preceding three (3) years.

(b) *Eligible rural service provider.* For purposes of this section, an eligible rural service provider is an entity that meets the criteria specified in § 1.2110(f)(4) of this chapter.

(c) *Bidding credits.* (1) A winning bidder that qualifies as a small business as defined in this section or a consortium of small businesses may use the bidding credit specified in § 1.2110(f)(2)(i)(C) of this chapter. A winning bidder that qualifies as a very small business as defined in this section or a consortium of very small

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businesses may use the bidding credit specified in § 1.2110(f)(2)(i)(B) of this chapter.

(2) An entity that qualifies as eligible rural service provider or a consortium of rural service providers may use the bidding credit specified in § 1.2110(f)(4) of this chapter.

[80 FR 56817, Sept. 18, 2015]

### PROTECTION OF OTHER SERVICES

#### § 27.1310 Protection of Broadcast Television Service in the 600 MHz band from wireless operations.

(a) Licensees authorized to operate wireless services in the 600 MHz band must cause no harmful interference to public reception of the signals of broadcast television stations transmitting co-channel or on an adjacent channel.

(1) Such wireless operations must comply with the D/U ratios in Table 5 in OET Bulletin No. 74, Methodology for Predicting Inter-Service Interference to Broadcast Television from Mobile Wireless Broadband Services in the UHF Band ([DATE]) (“*OET Bulletin No. 74*”). Copies of *OET Bulletin No. 74* may be inspected during normal business hours at the Federal Communications Commission, 445 12th St. SW., Dockets Branch (Room CY A09257), Washington, DC 20554. This document is also available through the Internet on the *FCC Home Page* at <http://www.fcc.gov>.

(2) If a 600 MHz band licensee causes harmful interference within the noise-limited contour or protected contour of a broadcast television station that is operating co-channel or on an adjacent channel, the 600 MHz band licensee must eliminate the harmful interference.

(b) A licensee authorized to operate wireless services in the 600 MHz downlink band:

(1) Is not permitted to deploy wireless base stations within the noise-limited contour or protected contour of a broadcast television station licensed on a co-channel or adjacent channel in the 600 MHz downlink band;

(2) Is required to perform an interference study using the methodology in *OET Bulletin No. 74* before deploying or operating wireless base stations within

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the culling distances specified in Tables 7–12 of *OET Bulletin No. 74* from the noise-limited contour or protected contour of such a broadcast television station;

(3) Is required to perform an interference study using the methodology in *OET Bulletin No. 74* when modifying a base station within the culling distances in Tables 7–12 of *OET Bulletin No. 74* that results in an increase in energy in the direction of co-channel or adjacent channel broadcast television station’s contours;

(4) Is required to maintain records of the latest *OET Bulletin No. 74* study for each base station and make them available for inspection to the Commission and, upon a claim of harmful interference, to the requesting broadcasting television station.

(c) A licensee authorized to operate wireless services in the 600 MHz uplink band must limit its service area so that mobile and portable devices do not transmit:

(1) Co-channel or adjacent channel to a broadcast television station within that station’s noise-limited contour or protected contour;

(2) Co-channel to a broadcast television station within five kilometers of that station’s noise-limited contour or protected contour; and

(3) Adjacent channel to a broadcast television station within 500 meters of that station’s noise-limited contour or protected contour.

(d) For purposes of this section, the following definitions apply:

(1) Broadcast television station is defined pursuant to § 73.3700(a)(1) of this chapter;

(2) Noise-limited contour is defined to be the full power station’s noise-limited contour pursuant to § 73.622(e);

(3) Protected contour is defined to be a Class A television station’s protected contour as specified in section 73.6010;

(4) Co-channel operations in the 600 MHz band are defined as operations of broadcast television stations and wireless services where their assigned channels or frequencies spectrally overlap;

(5) Adjacent channel operations are defined as operations of broadcast television stations and wireless services