

# Regulatory Update: Recent FCC Actions

**R**egulatory activity by the Federal Communications Commission (FCC) has not been in the headlines in recent months, since no major matters of public interest have been decided. In part, this is due to the change in leadership, with Kevin Martin replacing Michael Powell as FCC Chairman, as Martin appoints various staff members and establishes his own priorities for various new and pending matters.

Among the recent actions affecting readers of *High Frequency Electronics* are the following:

## 800 Mhz Band Reconfiguration

The FCC Wireless Telecommunications Bureau announces that 800 MHz Band Reconfiguration will commence June 17, 2005. In July 2004, the Federal Communications Commission (Commission) adopted a Report and Order in this docket which reconfigured the 800 MHz band to eliminate interference to public safety and other land mobile communication systems operating in the band. This action involves the well-publicized move of Nextel's operations from this band.

The band reconfiguration process is being overseen by a Transition Administrator (TA) which has provided the Commission with a plan detailing when band reconfiguration will commence in each of the fifty-five 800 MHz National Public Safety Planning Advisory Committee (NPSPAC) regions. On March 11, 2005, the Bureau approved the TA's basic schedule, which groups the NPSPAC regions into four waves (Waves 1-4).

After Public Notice for action involving each wave, there will be a three-month voluntary negotiation period to reach agreement with Nextel on the details of relocating. The voluntary negotiation period would be followed by a three-month mandatory negotiation period, if necessary. The Commission also stated that it would freeze the filing of certain 800 MHz applications for the regions being reconfigured, explaining that this freeze is necessary in order to maintain a stable spectral landscape during the reconfiguration process in each region.

Wave 1 of the 800 MHz band reconfiguration process for non-NPSPAC channels will start June 27, 2005. The three-month voluntary negotiation period will end September 26, followed by the three-month mandatory negotiation period that will end December 26, 2005.

To facilitate the 800 MHz reconfiguration process, the Commission has established the following new radio service codes for licenses that list 800 MHz band frequencies governed by Part 90 of the Rules:

### *Site specific licenses:*

- Public safety (conventional)—GE
- Public safety (trunked)—YE
- Business/Industrial/Land Transportation (conventional)—GJ
- Business/Industrial/Land Transportation (trunked)—YJ
- SMR (conventional)—GM and GL (The GL code is used only for applications listing both 800 MHz and 900 MHz frequencies.)
- SMR (trunked)—YM and YL (The YL code is used only for applications listing both 800 MHz and 900 MHz frequencies.)

### *Geographic area licenses:*

- SMR, market area—YH and CY (The CY code is used only for applications listing both 800 MHz and 1.9 GHz frequencies.)

The Commission's Universal Licensing System (ULS) will automatically update modification applications filed to implement 800 MHz band reconfiguration to show the appropriate new radio service code. Additional details are available on the Commission's 800 MHz band reconfiguration web page at <http://www.800MHz.gov>.

## Satellite Transmission of Local Digital TV Signals

Section 204(b) of the Satellite Home Viewer Extension and Reauthorization Act of 2004 (SHVERA) was passed by Congress to continue the inclusion of local television station broadcasts by satellite service providers. In particular, the law requires the FCC to examine the way it defines the coverage area of the new digital television (DTV) broadcasts.

The Commission has initiated an inquiry into the adequacy of the digital signal strength standard and testing procedures to determine whether households are eligible to receive distant broadcast digital television (DTV) network signals from satellite communications providers. Comment and information are invited. The inquiry specifically intends to study whether such statutes and regulations should be revised to take into account the types of antennas that are available to consumers.

The Commission is not considering alteration of the DTV signal strength standard for any purpose other than determining household eligibility to receive retransmitted distant network signals. The study is being performed to comply with the requirements of SHVERA.

### Broadband PCS Auctions Continue

On March 25, 2005, the Wireless Telecommunications Bureau announced that, based upon a preliminary review of the long-form applications, it was accepting for filing the applications for winning bidders in Auction No. 58, which covers a number of market areas outside of major population centers.

### Faster Broadband Satellite Earth Station Licensing

The FCC has adopted modified licensing rules that will streamline the review of non-routine earth station applications and speed the availability of broadband satellite services to consumers. In two separate items, the Commission adopted changes to the current Part 25 technical and processing rules and proposed further changes designed to reduce review time for these applications. Non-routine earth stations, often used to provide satellite-based broadband internet access, are earth stations that have smaller antenna diameters or operate at higher power levels than those specified in Part 25 of the Commission's Rules.

The Commission adopted two new streamlined procedures for case-by-case review of applications for smaller-than-routine earth stations:

1. **Certification Procedure:** Applicants can provide certifications of prior coordination with satellite operators that ensure that the proposed stations will not cause unacceptable interference to their operations.

2. **Power Reduction:** Applicants can file applications and specify that they will operate at a lower enough power level to prevent interference.

The item also adopts similar certification procedures for proposed earth stations with higher-than-routine power. Additional technical rule changes have been made, including updating the rules for Very Small Aperture Terminals (VSAT) networks using Code Division Multiple Access (CDMA), so that the requirements are consistent in different frequency bands. Rules are also proposed that would give earth station operators more flexibility to adjust their operations to meet market-place demands.

### Low Power FM Service

In January 2000, the FCC established the LPFM service in order to give local citizens a voice in their commu-

nity. As of today, there are approximately 590 stations on the air serving mostly mid-sized and smaller markets. The FCC's latest action on the low power FM (LPFM) service seeks comment on a number of ownership and technical issues for this service:

- Whether LPFM authorizations should be transferable and, if so, whether transferability should be broadly permitted or limited to special circumstances;
- Whether to extend from 30 days to 90 days the deadline for submission of a time-share proposal after a mutually exclusive group of LPFM applicants is announced;
- Whether to permit renewal of licenses granted under involuntary time-sharing, successive license term procedure;
- Whether to permanently restrict ownership of LPFM stations to local entities;
- Whether to permanently prohibit multiple ownership of LPFM stations.
- Whether to extend the LPFM construction period from 18 to 36 months;
- Whether to allow applicants submitting a time-share proposal to relocate the transmitter to a central location, notwithstanding the site relocation limits for minor amendments;
- Whether and, if so, under what conditions LPFM applications should be treated as having "primary" status with respect to prior-filed FM translator applications and existing FM translator stations (including how to handle the large volume of pending FM translator applications); and
- Whether an LPFM station should be permitted to continue to operate even when interference is predicted to occur within the 70 dBu contour of a subsequently-authorized second- or third-adjacent channel full service FM station.

### VoIP Now Requires E911 Service

As a final note, the FCC has adopted an order that treats VoIP services the same as other telephone services regarding 911 services, including location information. Although the location information is now provided by the user to his/her VoIP service provider, the FCC is considering methods for future automatic location reporting.

---

From June 2005 High Frequency Electronics  
Copyright © 2005 Summit Technical Media