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§ 27.702 Designated entities.

(a) *Eligibility for small business provisions.* (1) An entrepreneur is an entity that, together with its controlling interests and affiliates, has average gross revenues not exceeding $3 million for the preceding three years. This definition applies only with respect to licenses in Block C (710–716 MHz and 740–746 MHz) as specified in § 27.5(c)(1).

(2) A very small business is an entity that, together with its controlling interests and affiliates, has average gross revenues not exceeding $15 million for the preceding three years.

(3) A small business is an entity that, together with its controlling interests and affiliates, has average gross revenues not exceeding $40 million for the preceding three years.

(b) *Bidding credits.* A winning bidder that qualifies as an entrepreneur, as defined in this section, or a consortium of entrepreneurs may use the bidding credit specified in § 1.2110(f)(2)(i) of this chapter. A winning bidder that qualifies as a very small business, as defined in this section, or a consortium of very small businesses may use the bidding credit specified in § 1.2110(f)(2)(ii) of this chapter. 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)(iii) of this chapter.

[67 FR 5512, Feb. 6, 2002, as amended at 68 FR 43000, July 21, 2003]

Subpart I—1.4 GHz Band

SOURCE: 67 FR 41855, June 20, 2002, unless otherwise noted.

§ 27.801 Scope.

This subpart sets out the regulations governing service in the paired 1392–1395 MHz and 1432–1435 MHz bands as well as the unpaired 1390–1392 MHz band (1.4 GHz band).

§ 27.802 Permissible communications.

Licensees in the paired 1392–1395 MHz and 1432–1435 MHz bands and unpaired 1390–1392 MHz band are authorized to provide fixed or mobile service, except aeronautical mobile service, subject to the technical requirements of this subpart.

§ 27.803 Coordination requirements.

(a) Licensees in the 1.4 GHz band will be issued geographic area licenses in accordance with the service areas listed in § 27.6(d) and (e).

(b) Licensees in the 1.4 GHz Service must file a separate station application with the Commission and obtain an individual station license, prior to construction or operation, of any station:

(1) That requires submission of an Environmental Assessment under part 1, § 1.1307 of this chapter;

(2) That requires international coordination;

(3) That operates in areas listed in part 1, § 1.924 of this chapter; or

(4) That requires approval of the Frequency Advisory Subcommittee (FAS) of the Interdepartment Radio Advisory Committee (IRAC). Stations that require FAS approval are as follows:

(i) Licensees in the 1390–1392 MHz and 1392–1395 MHz band must receive FAS approval prior to operation of fixed sites or mobile units within the NTIA recommended protection radii of the Government sites listed in footnote US351 of § 2.106 of this chapter.

(ii) Licensees in the 1432–1435 MHz band must receive FAS approval, prior to operation of fixed sites or mobile units within the NTIA recommended protection radii of the Government sites listed in footnote US361 of § 2.106 of this chapter.

(c) Prior to construction of a station, a licensee in the 1.4 GHz Band must register with the Commission any station antenna structure for which notification to the Federal Aviation Administration is required by part 17 of this chapter.

(d) It is the licensee's responsibility to determine whether an individual station needs referral to the Commission.

(e) The application required in paragraph (b) of this chapter must be filed on the Universal Licensing System.

[67 FR 41855, June 20, 2002, as amended at 69 FR 17958, Apr. 6, 2004]

§ 27.804 Field strength limits at WMTS facility.

For any operation in the 1392–1395 MHz band, the predicted or measured field strength—into the WMTS band at 1395–1400 MHz—shall not exceed 150 uV/m at the location of any registered WMTS healthcare facility. When performing measurements to determine compliance with this provision, measurement instrumentation employing an average detector and a resolution bandwidth of 1 MHz may be used, provided it accurately represents the true interference potential of the equipment.

§ 27.805 Geographic partitioning and spectrum disaggregation.

An entity that acquires a portion of a 1.4 GHz band licensee's geographic area or spectrum subject to a geographic partitioning or spectrum disaggregation agreement under § 27.15 must function as a 1.4 GHz band licensee and is subject to the obligations and restrictions on the 1.4 GHz band license as set forth in this subpart.

§ 27.806 1.4 GHz service licenses subject to competitive bidding.

Mutually exclusive initial applications for 1.4 GHz Band licenses in the paired 1392–1395 MHz and 1432–1435 MHz bands as well as the unpaired 1390–1392 MHz band are subject to competitive bidding. The general competitive bidding procedures set forth in part 1, subpart Q of this chapter will apply unless otherwise provided in this subpart.

§ 27.807 Designated entities.

(a) Eligibility for small business provisions for 1.4 GHz band licenses in the paired 1392–1395 MHz and 1432–1435 MHz bands and the unpaired 1390–1392 MHz band.

(1) A very small business is an entity that, together with its controlling interests and affiliates, has average annual gross revenues not exceeding $15 million for the preceding three years.

(2) A small business is an entity that, together with its controlling interests and affiliates, has average annual gross revenues not exceeding $40 million for the preceding three years.

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

[67 FR 41855, June 20, 2002, as amended at 68 FR 43000, July 21, 2003]

Subpart J—1670–1675 MHz Band

SOURCE: 67 FR 41856, June 20, 2002, unless otherwise noted.

§ 27.901 Scope.

This subpart sets out the regulations governing service in the 1670–1675 MHz band (1670–1675 MHz band).

§ 27.902 Permissible communications.

Licensees in the 1670–1675 MHz band are authorized to provide fixed or mobile service, except aeronautical mobile service, subject to the technical requirements of this subpart.

§ 27.903 Coordination requirements.

(a) The licensee in the 1670–1675 MHz band will be issued a geographic area license on a nationwide basis in accordance with § 27.6(f).

(b) Licensees in the 1670–1675 MHz band must file a separate station application with the Commission and obtain an individual station license, prior to construction or operation, of any station:

(1) That requires submission of an Environmental Assessment under part 1, § 1.1307 of this chapter;

(2) That requires international coordination;

(3) That operates in areas listed under part 1, § 1.924 of this chapter.

(c) The application required in paragraph (b) of this section must be filed on the Universal Licensing System.

(d) Prior to construction of a station, a licensee must register with the Commission any station antenna structure for which notification to the Federal Aviation Administration is required by part 17 of this chapter.

(e) It is the licensee's responsibility to determine whether an individual