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(c) One or more licensed operators of the grade specified in paragraph (b) of this section shall be on duty at the place where the transmitting apparatus is located and in actual charge thereof when it is being operated: *Provided, however*, That:

(1) In case of stations in these services operating on frequencies above 30 MHz, the Commission may authorize unattended operation upon application therefor and showing that the equipment is so designed and constructed as to make such operation feasible. When such unattended operation is authorized, properly licensed operators shall be on duty at a terminal of the system of which the unattended station or stations are a part or shall be available on call to perform necessary maintenance duties.

(2) In the case of a station where remote control is used, the Commission may grant authority to employ an operator or operators at the control point in lieu of the place where the transmitting apparatus is located, provided that the following conditions are complied with:

(i) The transmitter shall be so installed and protected that it is not accessible to other than duly authorized persons.

(ii) A device shall be provided at the remote control point which gives a continuous visual indication whenever the control circuits have been placed in a condition to activate the radio transmitting apparatus.

(iii) Provision shall be made to monitor aurally all transmissions originating under control of the responsible operator at the remote point.

(iv) The radiation of the transmitter shall be suspended immediately when there is a deviation from the terms of the station license or applicable provisions of this chapter.

(v) When remote control of a transmitter is performed from a separate location such as a message center or telephone exchange and manual morse code keying is not used, the operator(s) at that point need not be licensed by the Commission provided that licensed operator(s) are on duty at the transmitter location or authorized remote control point at all times that the station is in operation, and they are fully responsible for the proper operation of the transmitting equipment. If manual morse code keying is used at a remote control point, the provisions of paragraph (b)(1) of this section shall apply.

(3) When a radio station is radiating, all adjustments or tests during or coincident with the installation and servicing or maintenance of the transmitter and its associated equipment which may affect the quality of transmission or possibly cause the station radiation to exceed the limits specified in its instrument of authorization or in the rules pertaining to such station shall be made by or under the immediate supervision and responsibility of a person holding the proper license, who shall be responsible for the proper functioning of the radio facilities. A radiotelephone station must be under the supervision of a person holding a radiotelephone or radiotelegraph first- or second-class license, and a radiotelegraph station must be under the supervision of a person holding a radiotelegraph first- or second-class license.

(4) When a radio station is not radiating, persons of appropriate technical skill, who are not licensed radio operators, may perform the functions described in paragraph (c)(3) of this section without direct supervision after having been authorized to do so by the responsible licensed operator under whose immediate supervision the facilities shall thereafter initially be placed in operation and be determined to be operating properly.

[38 FR 22480, Aug. 21, 1973]

§ 23.47 Station records.

(a) Station records shall be kept in an orderly manner, and in such detail that the data required is readily available. Key letters, abbreviations, or symbols may be used if proper meaning or explanation is set forth in the record.

(b) Each entry in the records of a station shall be made by a person qualified to do so and having actual knowledge of the facts to be recorded, and each entry shall clearly identify the person making the entry. Each entry or group of entries shall be certified by the signature of the person or persons responsible: *Provided*, That each physical page contain such certification:

And provided further, That any such group of entries contain entries made only during a single daily period of duty.

(c) No record or portions thereof shall be erased, obliterated, or willfully destroyed within the required retention period. Any necessary correction may be made only by the person originating the entry, who shall strike out the erroneous portion, initial the corrections made, and indicate the date of correction.

(d) The records required by this part shall be retained for a period of at least 1 year: *Provided, that:*

(1) Records involving communications incident to a disaster or which include communications incident to, or involved in, an investigation by the Commission and concerning which the licensee has knowledge shall be retained by the licensee until specifically authorized in writing by the Commission to destroy them.

(2) Records incident to or involved in any claim or complaint of which the licensee has knowledge shall be retained by the licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suit upon such claim.

[38 FR 22481, Aug. 21, 1973]

§ 23.48 Content of station records.

(a) For each station in the services under this part, except stations in the international fixed public control service, the licensee shall maintain a technical log of the station operating showing:

(1) Signature of each licensed operator responsible for the operation of the transmitting equipment and an indication of his hours of duty.

(2) Hours of use of each frequency assignment and type of emission indicating time of beginning and end of each period of operation and points of communication to which each frequency is used (or area if service is pursuant to § 23.53).

(3) Hours of use of each transmitter indicating time of beginning and end of each period of operation.

(4) Power input to the final stage of each transmitter.

(5) Dates and results of each frequency measurement.

(b) For stations in the international fixed public control service, the licensee shall maintain a technical log of the station operating showing:

(1) Normal hours of operation and dates and times of interruptions to service.

(2) Dates and results of each frequency measurement.

(3) When service or maintenance duties are performed, the responsible operator shall sign and date the station record giving pertinent details of all duties performed by him or under his supervision; his name and the class, serial number, and date of expiration of his license.

(c) For each station having an antenna structure which is required to be obstruction-lighted, appropriate entries shall be made in the station's technical log as required by § 23.39.

[38 FR 22481, Aug. 21, 1973]

§ 23.49 Discontinuance of operation.

The licensee of each fixed radio station except stations operating in Alaska, shall notify the Engineer in Charge of the district where such station is located of any of the following changes in the status of such station at least two days before such change: (a) Temporary discontinuance of operation for a period of ten days or more; (b) the date of resumption of operation after temporary discontinuance of operation for a period of ten days or more; (c) permanent discontinuance of operation: *Provided, however*, Where any such discontinuance of operation is not voluntary and results from causes beyond the control of the licensee, notice thereof shall be given not later than two days after such discontinuance of operation. In all cases of permanent discontinuance of operation the licensee shall, in addition to notifying the engineer of intention to discontinue operation, immediately forward the station license to the Washington, D.C., office of the Commission for cancellation.

[28 FR 13002, Dec. 5, 1963, as amended at 30 FR 7176, May 28, 1965; 35 FR 10447, June 26, 1970. Redesignated at 38 FR 22481, Aug. 21, 1973]