§ 25.149 Application requirements for ancillary terrestrial components in the mobile-satellite service networks operating in the 1.5/1.6 GHz, 1.624 GHz and 2 GHz mobile-satellite service.

(a) Applicants for ancillary terrestrial component authority shall demonstrate that the applicant does or will comply with the following through certification or explanatory technical exhibit, as appropriate:

(1) ATC shall be deployed in the forward-band mode of operation whereby the ATC mobile terminals transmit in the MSS uplink bands and the ATC base stations transmit in the MSS downlink bands in portions of the 2000–2020 MHz/2180–2200 MHz bands (2 GHz band), the 1626.5–1660.5 MHz/1525–1559 MHz bands (L-band), and the 1610–1626.5 MHz/2483.5–2500 MHz bands (Big LEO band).

NOTE TO PARAGRAPH (a)(1): An L-band MSS licensee is permitted to apply for ATC authorization based on a non-forward-band mode of operation provided it is able to demonstrate that the use of a non-forward-band mode of operation would produce no greater potential interference than that produced as a result of implementing the rules of this section.

(2) ATC operations shall be limited to certain frequencies:

(i) In the 2000–2020 MHz/2180–2200 MHz bands (2 GHz MSS band), ATC operations are limited to the selected assignment of the 2 GHz MSS licensee that seeks ATC authority.

(ii) In the 1626.5–1660.5 MHz/1525–1559 MHz bands (L-band), ATC operations are limited to the frequency assignments authorized and internationally coordinated for the MSS system of the MSS licensee that seeks ATC authority.

(iii) In the 1610–1626.5 MHz/2483.5–2500 MHz bands (Big LEO bands), ATC operations are limited to the specific frequencies authorized for use by the MSS licensee that seeks ATC authority.

(3) ATC operations shall not exceed the geographical coverage area of the mobile satellite service network of the applicant for ATC authority.

(4) ATC base stations shall comply with all applicable antenna and structural clearance requirements established in part 17 of this chapter.

(5) ATC base stations and mobile terminals shall comply with part 1 of this chapter, Subpart I—Procedures Implementing the National Environmental Policy Act of 1969, including the guidelines for human exposure to radio frequency electromagnetic fields as defined in §§1.1307(b) and 1.1310 of this chapter for PCS networks.

(6) ATC base station operations shall use less than all available MSS frequencies when using all available frequencies for ATC base station operations would exclude otherwise available signals from MSS space-stations.

(b) Applicants for ancillary terrestrial component shall demonstrate
that the applicant does or will comply
with the following criteria through cer-
tification:

(1) Geographic and temporal coverage.
(i) For the 2 GHz MSS band, an appli-
cant must demonstrate that it can pro-
vide space-segment service covering all
50 states, Puerto Rico, and the U.S.
Virgin Islands one-hundred percent of
the time, unless it is not technically
possible, consistent with the coverage
requirements for 2 GHz MSS GSO oper-
ators.

(ii) For the L-band, an applicant
must demonstrate that it can provide
space-segment service covering all 50
states, Puerto Rico, and the U.S. Vir-
gin Islands one-hundred percent of
the time, unless it is not technically pos-
sible for the MSS operator to meet the
coverage criteria from its orbital posi-
tion.

(iii) For the Big LEO band, an appli-
cant must demonstrate that it can pro-
vide space-segment service to all loca-
tions as far north as 70° North latitude
and as far south as 55° South latitude
for at least seventy-five percent of
every 24-hour period, i.e., that at least
one satellite will be visible above the
horizon at an elevation angle of at
least 5° for at least 18 hours each day,
and on a continuous basis throughout
the fifty states, Puerto Rico and the
U.S. Virgin Islands, i.e., that at least
one satellite will be visible above the
horizon at an elevation angle of at
least 5° at all times.

(2) Replacement satellites. (i) Oper-
ational NGSO MSS ATC systems shall
maintain an in-orbit spare satellite.

(ii) Operational GSO MSS ATC sys-
tems shall maintain a spare satellite
on the ground within one year of com-
ceming operations and launch it into
orbit during the next commercially
reasonable launch window following a
satellite failure.

(iii) All MSS ATC licensees must re-
port any satellite failures, malfunc-
tions or outages that may require sat-
ellite replacement within ten days of
their occurrence.

(3) Commercial availability. Mobile-sat-
ellite service must be commercially
available (viz., offering services for a
fee) in accordance with the coverage
requirements that pertain to each band
as a prerequisite to an MSS licensee’s
offering ATC service.

(4) Integrated services. MSS ATC li-
censees shall offer an integrated serv-
ice of MSS and MSS ATC. Applicants
for MSS ATC may establish an inte-
grated service offering by affirmatively
demonstrating that:

(i) The MSS ATC operator will use a
dual-mode handset that can commu-
icate with both the MSS network and
the MSS ATC component to provide
the proposed ATC service; or

(ii) Other evidence establishing that
the MSS ATC operator will provide an
integrated service offering to the pub-
lic.

(5) In-band operation. (i) In the 2 GHz
MSS band, MSS ATC is limited to an
MSS licensee’s selected assignment.
MSS ATC operations on frequencies be-
yond the MSS licensee’s selected as-
signment are prohibited.

(ii) In the Big LEO bands, MSS ATC
is limited to no more than 7.775 MHz of
spectrum in the L-band and 11.5 MHz of
spectrum in the S-band. Licensees in
these bands may implement ATC only
on those channels on which MSS is au-
thorized, consistent with the Big LEO
band-sharing arrangement.

(iii) In the L-band, MSS ATC is lim-
ited to those frequency assignments
available for MSS use in accordance
with the Mexico City Memorandum of
Understanding, its successor agree-
ments or the result of other organized
efforts of international coordination.

(c) Equipment certification. (1) Each
ATC MET utilized for operation under
this part and each transmitter mar-
keted, as set forth in §2.803 of this
chapter, must be of a type that has
been authorized by the Commission
under its certification procedure for
use under this part.

(2) Any manufacturer of radio trans-
mitting equipment to be used in these
services may request equipment au-
thorization following the procedures
set forth in subpart J of part 2 of this
chapter. Equipment authorization for
an individual transmitter may be re-
quested by an applicant for a station
authorization by following the proce-
dures set forth in part 2 of this chapter.

(3) Licensees and manufacturers are
subject to the radiofrequency radiation
exposure requirements specified in

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§§ 1.1307(b), 2.1091 and 2.1093 of this chapter, as appropriate. MSS ATC base stations must comply with the requirements specified in §1.1307(b) of this chapter for PCS base stations. MSS ATC mobile terminals must comply with the requirements specified for mobile and portable PCS transmitting devices in §1.1307(b) of this chapter. MSS ATC mobile terminals must also comply with the requirements in §§2.1091 and 2.1093 of this chapter for Satellite Communications Services devices. Applications for equipment authorization of mobile or portable devices operating under this section must contain a statement confirming compliance with these requirements for both fundamental emissions and unwanted emissions. Technical information showing the basis for this statement must be submitted to the Commission upon request.

(d) Applicants for an ancillary terrestrial component authority shall demonstrate that the applicant does or will comply with the provisions of §§1.924 and 25.203(e) through 25.203(g) and with §§25.252, 25.253, or 25.254, as appropriate, through certification or explanatory technical exhibit.

(e) Except as provided for in paragraph (f) of this section, no application for an ancillary terrestrial component shall be granted until the applicant has demonstrated actual compliance with the provisions of paragraph (b) of this section. Upon receipt of ATC authority, all ATC licensees must ensure continued compliance with this section and §§25.252, 25.253, or 25.254, as appropriate.

(f) Special provision for operational MSS systems. Applicants for MSS ATC authority with operational MSS systems that are in actual compliance with the requirements prescribed in paragraphs (b)(1), (b)(2), and (b)(3) of this section at the time of application may elect to satisfy the requirements of paragraphs (b)(4) and (b)(5) of this section prospectively by providing a substantial showing in its certification regarding how the applicant will comply with the requirements of paragraphs (b)(4) and (b)(5) of this section. Notwithstanding §25.117(f) and paragraph (e) of this section, the Commission may grant an application for ATC authority based on such a prospective substantial showing if the Commission finds that operations consistent with the substantial showing will result in actual compliance with the requirements prescribed in paragraphs (b)(4) and (b)(5) of this section. An MSS ATC applicant that receives a grant of ATC authority pursuant to this paragraph (f) shall notify the Commission within 30 days once it begins providing ATC service. This notification must take the form of a letter formally filed with the Commission in the appropriate MSS license docket and shall contain a certification that the MSS ATC service is consistent with its ATC authority.


Processing of Applications

§ 25.150 Receipt of applications.

Applications received by the Commission are given a file number and (domestic only) a unique station identifier for administrative convenience. Neither the assignment of a file number and/or other identifier nor the listing of the application on public notice as received for filing indicates that the application has been found acceptable for filing or precludes the subsequent return or dismissal of the application if it is found to be defective or not in accordance with the Commission’s rules.

§ 25.151 Public notice period.

(a) At regular intervals, the Commission will issue public notices listing:

(1) The receipt of applications for new station authorizations;

(2) The receipt of applications for license or registration of receive-only earth stations;

(3) The receipt of applications for major modifications to station authorizations;

(4) The receipt of major amendments to pending applications;

(5) The receipt of applications to assign or transfer control of space station facilities, transmitting earth station facilities, or international receive-only earth station facilities;

(6) Significant Commission actions regarding applications;