§ 101.511

relevant licensees in the same or adjacent areas. Incumbent SMSA licensee(s) shall retain exclusive rights to its channel(s) within its SMSA and must be protected.

(d) Licensees shall comply with the appropriate coordination agreements between the United States and Canada and the United States and Mexico concerning cross-border sharing and use of the 24 GHz bands which may require using channels pairs in accordance with the table in §101.147(r)(9).

(e) The Commission recommends that coordination is not necessary if the power flux density (pfd) at the boundary of the relevant adjacent area is lower than –114 dBW/m² in any 1 MHz. This value can be changed and agreed upon by both coordinating parties. Licensees should be able to deploy with a pfd up to –94 dBW/m² in any 1 MHz at the boundary of the relevant adjacent area without negatively affecting the successful operations of the adjacent area licensee.

(65 FR 59360, Oct. 5, 2000)

§ 101.513 Transmitter power.

The transmitter power will be governed by §101.113. Further, each application must contain an analysis demonstrating compliance with §101.113(a).

§ 101.515 Emissions and bandwidth.

Different types of emissions may be authorized if the applicant describes fully the modulation and bandwidth desired, and demonstrates that the bandwidth desired is no wider than needed to provide the intended service. In no event, however, may the necessary or occupied bandwidth exceed the specified channel width of the assigned pair.

§ 101.517 Antennas.

(a) Transmitting antennas may be omnidirectional or directional, consistent with coverage and interference requirements.

(b) The use of horizontal or vertical plane wave polarization, or right hand or left hand rotating elliptical polarization must be used to minimize harmful interference between stations.

(c) Directive antennas must be used at all DEMS User Stations and may be elevated no higher than necessary to assure adequate service. Antenna structures requiring FAA notification under part 17 of this chapter must be registered with the Commission. The structure owner is responsible for registering, painting, and lighting the structure if applicable. Requests for such authorization must show the inclusive dates of the proposed operation.

§ 101.519 Interconnection.

(a) All DEMS licensees must make available to the public all information necessary to allow the manufacture of user equipment that will be compatible with the licensee's network.

(b) All DEMS licensees must make available to the public all information necessary to allow interconnection of DEMS networks.

§ 101.521 Spectrum utilization.

All applicants for DEMS frequencies in the 10.6 GHz band must submit as part of the original application a detailed plan indicating how the bandwidth requested will be utilized. In particular the application must contain detailed descriptions of the modulation method, the channel time sharing method, any error detecting and/or correcting codes, any spatial frequency reuse system and the total data throughput capacity in each of the links in the system. Further, the application must include a separate analysis of the spectral efficiency including
both information bits per unit bandwidth and the total bits per unit bandwidth.

[65 FR 59360, Oct. 5, 2000]

§ 101.523 Service areas.

(a) The service areas for 24 GHz are Economic Areas (EAs) as defined in this paragraph (a). The Bureau of Economic Analysis, U.S. Department of Commerce, organized the 50 States and the District of Columbia into 172 EAs. See 60 FR 13114 (March 10, 1995). Additionally, there are four FCC-created EA-like areas:

(1) Guam and Northern Mariana Islands;

(2) Puerto Rico and the U.S. Virgin Islands;

(3) American Samoa, and

(4) the Gulf of Mexico. The Gulf of Mexico EA extends from 12 nautical miles off the U.S. Gulf coast outward into the Gulf. See 62 FR 9636 (March 3, 1997), in which the Commission created an additional four economic area-like areas for a total of 176 EA service areas. Maps of the EAs and the FEDERAL REGISTER Notice that established the 172 Economic Areas (EAs) are available for public inspection and copying at the FCC Reference Center, Room CY A–257, 445 12th St., SW., Washington, DC 20554. These maps and data are also available on the FCC Web site at www.fcc.gov/oet/info/maps/areas/.

(b) Where an incumbent SMSA license area in the 24 GHz band occupies only a portion of an EA available for application under the competitive bidding rules, the SMSA portion will be excluded from auction and the incumbent licensee will retain the exclusive right to those channels within the SMSA.

[65 FR 59360, Oct. 5, 2000, as amended at 69 FR 17959, Apr. 6, 2004]

§ 101.526 License term.

The license term for stations licensed under this subpart is ten years from the date of license grant or license renewal for incumbent licensees.

[65 FR 59360, Oct. 5, 2000]

§ 101.527 Construction requirements for 24 GHz operations.

(a) Each licensee must make a showing of “substantial service” within ten years of its license grant. A “substantial service” assessment will be made at renewal pursuant to the provisions and procedures set forth in §1.949 of this chapter. “Substantial service” is a service which is sound, favorable, and substantially above a level of mediocre service which just might minimally warrant renewal during its past license term.

(b) Each licensee must, at a minimum file:

(1) A report, maps and other supporting documents describing its current service in terms of geographic coverage and population served to the Commission. The report must also contain a description of the licensees’ investments in its operations. The report must be labeled as an attachment to the renewal application; and

(2) Copies of all FCC orders finding the licensee to have violated the Communications Act or any FCC rule or