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Mobile pairing is precluded by the presence of one or more co-channel or adjacent channel TV/DTV broadcast stations.

(f) Internal guard band. The internal guard band (768–769/798–799 MHz) is reserved.

(g) Broadband. The 758–768 MHz and 788–798 MHz bands are allocated for broadband communications.

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Licensees of the 758–769 MHz and 788–799 MHz Bands.

Pursuant to Section 6201 of the Middle Class Tax Relief and Job Creation Act of 2012, Public Law 112–96, 126 Stat. 156 (2012), a nationwide license for use of the 758–769 MHz and 788–799 MHz bands shall be issued to the First Responder Network Authority for an initial license term of ten years from the date of the initial issuance of the license. Prior to expiration of the term of such initial license, the First Responder Network Authority shall submit to the Commission an application for the renewal of such license. Such renewal application shall demonstrate that, during the preceding license term, the First Responder Network Authority has met the duties and obligations set forth under the foregoing Act. A renewal license shall be for a term not to exceed ten years.

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Modulation and spectrum usage efficiency requirements.

Transmitters designed to operate in the 758–775 MHz and 788–805 MHz frequency bands must meet the following modulation standards:

(a) All transmitters in the 769–775 MHz and 799–805 MHz frequency bands must use digital modulation. Mobile and portable transmitters may have analog modulation capability only as a secondary mode in addition to its primary digital mode. Mobile and portable transmitters that only operate on the low power channels designated in §§90.531(b)(3), 90.531(b)(4), are exempt from this digital modulation requirement.

(b) Transmitters designed to operate in the narrowband segment using digital modulation must be capable of maintaining a minimum data (non-voice) rate of 4.8 kbps per 6.25 kHz of bandwidth.

(c) Transmitters designed to operate in the wideband segment using digital modulation must be capable of maintaining a minimum data (non-voice) rate of 384 kbps per 150 kHz of bandwidth.
(d) The following provisions apply to licensees operating in the channels designated in §90.531(b)(5) or §90.531(b)(6).

1. With the exception of licensees designated in paragraph (d)(2) of this section, after December 31, 2014, licensees may only operate in voice mode in these channels at a voice efficiency of at least one voice path per 6.25 kHz of spectrum bandwidth.

2. Licensees authorized to operate systems in the voice mode on these channels from applications filed on or before December 31, 2014, may continue operating in voice mode on these channels (including modification applications of such licenses granted after December 31, 2014, for expansion or maintenance of such systems) at a voice efficiency of at least one voice path per 12.5 kHz of spectrum bandwidth until December 31, 2016.

3. The licensees designated in paragraph (d)(2) of this section must, no later than January 31, 2017, file a declaration through the Universal Licensing System that they are operating these channels at a voice efficiency of at least one voice path per 6.25 kHz of spectrum bandwidth.

§ 90.537 Trunking requirement.

(a) General use and State License channels. All systems using six or more narrowband channels in the 769–775 MHz and 799–805 MHz frequency bands must be trunked systems, except for those described in paragraph (b) of this section.

(b) Interoperability and low power channels. Trunking is permitted only on Interoperability channels specified in §90.531(b)(1)(iii). Trunked use must be strictly on a secondary, non-interference basis to conventional operations. The licensee must monitor and immediately release these channels when they are needed for interoperability purposes. All systems using narrowband low power channels listed in §90.531(b)(3) and (4) are exempt from the trunking requirements described in paragraph (a) of this section.

§ 90.539 Frequency stability.

Transmitters designed to operate in 769–775 MHz and 799–805 MHz frequency bands must meet the frequency stability requirements in this section.

(a) Mobile, portable and control transmitters must normally use automatic frequency control (AFC) to lock on to the base station signal.

(b) The frequency stability of base transmitters operating in the narrowband segment must be 100 parts per billion or better.

(c) The frequency stability of mobile, portable, and control transmitters operating in the narrowband segment must be 200 parts per billion or better when AFC is locked to the base station.

(d) The frequency stability of base transmitters operating in the wideband segment must be 1 part per million or better.

(e) The frequency stability of mobile, portable, and control transmitters operating in the wideband segment must be 1.25 parts per million or better when AFC is locked to a base station, and 5 parts per million or better when AFC is not locked.

§ 90.541 Transmitting power limits.

The transmitting power of base, mobile, portable and control stations operating in the 769–775 MHz and 799–805 MHz frequency bands must not exceed the maximum limits in this section, and must also comply with any applicable effective radiated power limits in §90.545.

(a) The transmitting power of base transmitters must not exceed the limits given in paragraphs (a), (b) and (c) of §90.635.

(b) The transmitter output power of mobile and control transmitters must not exceed 30 Watts.

(c) The transmitter output power of portable (hand-held) transmitters must not exceed 3 Watts.