SUMMARY: The Commission has released a Notice of Proposed Rule Making that proposes several amendments to part 90 of the rules concerning the Private Land Mobile Radio (PLMR) Services. This action was initiated in response to petitions for rulemaking from various parties. The Notice proposes to permit the installation of multiple video service providers (“MVPD”) to provide service; and to require persons installing and servicing land mobile radio equipment to have such a license.

DATES: Comments are due October 3, 1997. Reply comments are due October 17, 1997.


Section 76.805 Access to molding and conduits
An multichannel video service provider (“MVPD”) shall be permitted to install one or more home run wires in an existing molding or conduit where:
(a) Sufficient space is present to permit the installation;
(b) The installation will not interfere with the ability of an existing MVPD to provide service; and
(c) The owner of the multiple dwelling unit building does not object to such installation.

Summary of Notice of Proposed Rule Making
1. The Commission has released a Notice of Proposed Rule Making that proposes several amendments to part 90 of the rules concerning the Private Land Mobile Radio (PLMR) Services.
2. In response to a Petition for Rule Making filed by the Council of Independent Communications Suppliers, (RM-8680), the Notice proposes to extend use of 24.05-24.25 GHz for traffic light control by emergency vehicles that transmit on the frequency 24.10 GHz, both unmodulated continuous wave radio signals and continuous wave radio signals and modulated FM digital signals for the purpose of alerting motorists to hazardous driving conditions or the presence of an emergency vehicle. Unattended and continuous operation of such transmitters will be permitted. Additionally, licensees may utilize type accepted equipment operating in the 24.20-24.25 GHz portion of the 24.05-24.25 GHz band for traffic light control purposes without additional authorization and on a secondary basis.

47 CFR Part 90
Amendments to Part 90 Private Land Mobile Radio Service Rules

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has released a Notice of Proposed Rule Making that proposes several amendments to the part 90 Private Land Mobile Radio Services rules. This action was initiated in response to petitions for rulemaking concerning eliminating certain frequency coordination requirements in the Business Radio Service, the transmission of safety alerting signals on Radiolocation Service frequencies, and modifying construction and loading requirements for private, non-Specialized Mobile Radio systems operating in the 800 and 900 MHz bands. The proposed rules will reduce the regulatory burden on licensees, and will provide more efficient and flexible use of the private land mobile radio frequency spectrum. Additionally, comments are requested on potential interference problems resulting from shared use of the 216-217 MHz band under parts 90 and 95 of the rules.
§ 90.19 Police Radio Service.

(a) * * * * *

(g) * * * *

(6) A licensee of a radio station in this service may operate radio units for the purpose of determining distance, direction, speed, or position by means of a radiolocation device on any frequency available for radiolocation purposes without additional authorization from the Commission, provided type accepted equipment or equipment authorized pursuant to §§ 90.203(b)(4) and (b)(5) is used, and all other rule provisions are satisfied. A licensee in this service may also operate, subject to all of the foregoing conditions and on a secondary basis, radio units at fixed locations in emergency vehicles that transmit on the frequency 24.10 GHz, both unmodulated continuous wave radio signals and modulated FM digital signals for the purpose of alerting motorists to hazardous driving conditions or the presence of an emergency vehicle. Unattended and continuous operation of such transmitters will be permitted. Additionally, licensees may utilize type accepted equipment operating in the 24.20–24.25 GHz portion of the 24.05–24.25 GHz band for traffic light control purposes without additional authorization and on a secondary basis.

5. Section 90.23 is proposed to be amended by revising paragraph (e)(3) to read as follows:

§ 90.23 Highway Maintenance Radio Service.

(a) * * * * *

(e) * * * *

(3) A licensee of a radio station in this service may operate radio units for the purpose of determining distance, direction, speed, or position by means of a radiolocation device on any frequency available for radiolocation purposes without additional authorization from the Commission, provided type accepted equipment or equipment authorized pursuant to §§ 90.203(b)(4) and (b)(5) is used, and all other rule provisions are satisfied. A licensee in this service may also operate, subject to all of the foregoing conditions and on a secondary basis, radio units at fixed locations in emergency vehicles that transmit on the frequency 24.10 GHz, both unmodulated continuous wave radio signals and modulated FM digital signals for the purpose of alerting motorists to hazardous driving conditions or the presence of an emergency vehicle. Unattended and continuous operation of such transmitters will be permitted. Additionally, licensees may utilize type accepted equipment operating in the 24.20–24.25 GHz portion of the 24.05–24.25 GHz band for traffic light control purposes without additional authorization and on a secondary basis.

7. Section 90.27 is proposed to be amended by adding paragraph (d) to read as follows:

§ 90.27 Emergency Medical Radio Service.

(a) * * * * *

(d) Additional frequencies available. A licensee of a radio station in this service may operate a radio unit in an emergency vehicle without additional authorization from the Commission and on a secondary basis, that transmits on the frequency 24.10 GHz both an unmodulated continuous wave radio signal and a modulated FM digital signal for the purpose of alerting motorists to the presence of the emergency vehicle. Continuous operation of such transmitters will be permitted. Additionally, licensees may utilize equipment operating in the 24.20–24.25 GHz portion of the 24.05–24.25 GHz band for traffic light control purposes without additional authorization and on a secondary basis. The licensees must utilize type accepted equipment or equipment authorized pursuant to §§ 90.203(b)(4) and (b)(5), and satisfy all other rule provisions.

8. Section 90.53 is proposed to be amended by adding paragraph (c)(2) to read as follows:

§ 90.53 Frequencies available.

(a) * * * * *

(c) * * * *

(2) A licensee of a radio station in this service may operate a radio unit in an emergency vehicle without additional authorization from the Commission and on a secondary basis, that transmits on the frequency 24.10 GHz both an unmodulated continuous wave radio signal and a modulated FM digital signal for the purpose of alerting motorists to the presence of the emergency vehicle. Continuous operation of such transmitters will be permitted. Additionally, licensees may utilize equipment operating in the 24.20–24.25 GHz portion of the 24.05–24.25 GHz band for traffic light control
purposes without additional authorization and on a secondary basis. The licensee must utilize type accepted equipment or equipment authorized pursuant to §§90.203 (b)(4) and (b)(5), and satisfy all other rule provisions. * * * * *

9. Section 90.103 is proposed to be amended by revising paragraph (c)(22) to read as follows:

§ 90.103 Radiolocation Service.

(c) * * * * *

(22) For frequencies 2455 MHz, 10,525 MHz, and 24,125 MHz, only unmodulated, continuous wave (NON) emission shall be employed. The frequency 24.10 GHz, and frequencies in the 24.20–24.25 GHz band may use NON emission along with an ancillary FM digital emission. The frequency 24.10 GHz will be used for the purpose of alerting motorists of hazardous driving conditions and the presence of emergency vehicles. Frequencies in the 24.20–24.25 MHz band may be used in emergency vehicles for traffic signal control. Equipment operating on 24.10 GHz or in the 24.20–24.25 GHz band must keep the deviation of the FM digital signal within +5 MHz. Equipment operating on these frequencies must have a frequency stability of at least 2000 ppm and are exempt from the requirements of §§90.403(c), 90.403(f), and 90.429. * * * * *

10. Section 90.175 is proposed to be amended by revising paragraph (i)(5) to read as follows:

§ 90.175 Frequency coordination requirements.

(i) * * * * *

(5) Applications in the Industrial/ Business Pool requesting a frequency designated for itinerant operations, and applications requesting operation on 154.570 MHz, 154.600 MHz, 151.820 MHz, 151.880 MHz, and 151.940 MHz. * * * * *

11. Section 90.633 is proposed to be amended by revising paragraphs (c) and (d) to read as follows:

§ 90.633 Conventional systems sharing and construction requirements.

(c) Except as provided in §90.629, licensees of conventional systems must place their authorized stations in operation not later than one year after the date of grant of the system license. * * * * *

(d) If a station is not placed in operation within one year, except as provided in §90.629, the license cancels automatically. For purposes of this section, a base station is not considered to be in operation unless at least one associated mobile station is also in operation. * * * * *

12. Section 90.651 is proposed to be amended by revising paragraph (c) to read as follows:

§ 90.651 Supplemental reports required of licensees authorized under this subpart.

(c) * * * * *

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 082797A]

RIN 0648–AJ55

Fisheries of the Northeastern United States; Amendment 10 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability of an amendment to a fishery management plan and request for comments.

SUMMARY: NMFS issues this notice to advise the public that the Mid-Atlantic Fishery Management Council (Council) has submitted Amendment 10 to the Fishery Management Plan for the Summer Flounder, Scup and Black Sea Bass Fisheries (FMP) for Secretarial review and is requesting comments from the public. Amendment 10 proposes new regulations for the summer flounder fishery and would also modify a number of existing regulations, continue the moratorium on entry of additional commercial vessels, modify the vessel replacement criteria, remove provisions that pertain to the expiration of the moratorium permit, establish a de minimus status for states, allow Federally permitted charter/party vessels issued a permit by their state to possess fillets less than the minimum size, and prohibit transfer of summer flounder at sea. Because Amendment 10 has been prepared by both the Council and the Atlantic States Marine Fisheries Commission (Commission), there is an additional management measure in the amendment that would be implemented by the Commission as part of its interstate management process. This measure would require that states document all summer flounder commercial landings in their state.

Amendment 10 reevaluated the state-by-state commercial quota allocation system implemented by Amendment 2. After receiving and considering public