

§ 25.109

§§ 25.110(b), 25.117(h), 25.118(e), and 25.140(b).

(7) ITU Radio Regulations, Volume 2: Appendices, Appendix 30B, “Provisions and associated Plan for the fixed-satellite service in the frequency bands 4 500–4 800 MHz, 6 725–7 025 MHz, 10.70–10.95 GHz, 11.2–11.45 GHz and 12.75–13.25 GHz,” Edition of 2012, <http://www.itu.int/pub/R-REG-RR-2012>. Incorporation by reference approved for §§ 25.110(b) and 25.140(a).

(8) ITU Radio Regulations, Volume 3: Resolutions and Recommendations, Resolution 76 (Rev.WRC-15), “Protection of geostationary fixed-satellite service and geostationary broadcasting-satellite service networks from the maximum aggregate equivalent power flux-density produced by multiple non-geostationary fixed-satellite service systems in frequency bands where equivalent power flux-density limits have been adopted,” Edition of 2016, copyright 2016, <http://www.itu.int/pub/R-REG-RR-2016>. Incorporation by reference approved for § 25.146(a).

(9) ITU Radio Regulations, Volume 3: Resolutions and Recommendations, Resolution 85 (WRC-03), “Application of Article 22 of the Radio Regulations to the protection of geostationary fixed-satellite service and broadcasting-satellite service networks from non-geostationary fixed-satellite service systems,” Edition of 2016, copyright 2016, <http://www.itu.int/pub/R-REG-RR-2016>. Incorporation by reference approved for § 25.146(c).

(10) Recommendation ITU-R M.1186 “Technical Considerations for the Coordination Between Mobile Satellite Service (MSS) Networks Utilizing Code Division Multiple Access (CDMA) and Other Spread Spectrum Techniques in the 1–3 GHz Band” (1995). Incorporation by reference approved for § 25.254(c).

(d) Radio Technical Commission for Maritime Services (RTCM). 1611 N. Kent St., Suite 605, Arlington, VA 22209; email: info@rtcm.org; website: www.rtcmm.org.

(1) RTCM 12800.0, “Satellite Emergency Notification Devices (SENDs),” dated August 1, 2011. Incorporation by reference approved for § 25.301.

47 CFR Ch. I (10–1–24 Edition)

(2) [Reserved]

[81 FR 55324, Aug. 18, 2016, as amended at 82 FR 37029, Aug. 8, 2017; 82 FR 40494, Aug. 25, 2017; 82 FR 59984, Dec. 18, 2017; 85 FR 64407, Oct. 13, 2020; 86 FR 49488, Sept. 3, 2021; 88 FR 21439, Apr. 10, 2023; 86 FR 49488, Sept. 3, 2021; 89 FR 58072, July 17, 2024]

§ 25.109 Cross-reference.

(a) Space and earth stations in the Amateur Satellite Service are licensed under 47 CFR part 97.

(b) Ship earth stations in the Maritime Mobile-Satellite Service transmitting in the 1626.5–1646.5 MHz band are subject to licensing under 47 CFR part 80.

(c) Earth stations in the Aeronautical Mobile-Satellite (Route) Service are subject to licensing under 47 CFR part 87.

(d) Space and earth stations in the Experimental Radio Service may be subject to licensing under 47 CFR part 5.

(e) Space and earth stations in the 3700–4200 MHz band may be subject to transition rules in part 27 of this chapter.

(f) Space and SCS earth stations providing SCS are subject to technical rules in parts 2, 22, 24, and 27 of this chapter where applicable.

[78 FR 8420, Feb. 6, 2013, as amended at 85 FR 22864, Apr. 23, 2020; 89 FR 34166, Apr. 30, 2024]

Subpart B—Applications and Licenses

SOURCE: 56 FR 24016, May 28, 1991, unless otherwise noted.

GENERAL APPLICATION FILING REQUIREMENTS

§ 25.110 Filing of applications, fees, and number of copies.

(a) *Filing.* Applications may be filed by going online at <https://www.fcc.gov/icfs> and submitting the application through the International Communications Filing System (ICFS).

(b) *Submitting your application.* (1) All earth station license applications must be filed electronically on FCC Form 312 in accordance with the applicable provisions of part 1, subpart Y of this chapter.

(2) Except as provided in paragraph (b)(3) of this section, applications for space station licenses must be filed electronically on FCC Form 312 in accordance with the applicable provisions of part 1, subpart Y of this chapter and include all information required by §25.114.

(b)(3) A license application for 17/24 GHz BSS space station operation, for GSO FSS space station operation, or for GSO space station operation subject to the provisions in Appendices 30 and 30A of the ITU Radio Regulations (incorporated by reference, see §25.108) may be submitted in two steps, as follows:

(i) An application for 17/24 GHz BSS space station operation or for GSO FSS space station operation not subject to the provisions in Appendix 30B of the ITU Radio Regulations (incorporated by reference, see §25.108) may be initiated by filing with the Commission, in accordance with the applicable provisions of part 1, subpart Y of this chapter, a draft Coordination Request and simplified Form 312 for the proposed operation and a declaration of acceptance of ITU cost-recovery responsibility in accordance with §25.111(d). The simplified Form 312, Main Form submission must include the information required by items 1-17, 43, 45, and 46.

(ii) An application for GSO FSS space station operation subject to the provisions in Appendix 30B of the ITU Radio Regulations (incorporated by reference, see §25.108) may be initiated by submitting to the Commission, in accordance with the applicable provisions of part 1, subpart Y of this chapter, a draft ITU filing to convert an allotment into an assignment, to introduce an additional system, or to modify an assignment in the Appendix 30B List accompanied by a simplified Form 312 and a declaration of acceptance of ITU cost-recovery responsibility in accordance with §25.111(d). The simplified Form 312, Main Form submission must include the information required by items 1-17, 43, 45, and 46. In addition, the applicant must submit the results of an analysis demonstrating that no U.S. filing under Appendix 30B would be deemed affected by the proposed operation under the relevant ITU criteria

or, for any affected filings, a letter signed by the affected operator that it consents to the new filing.

(iii) An application for GSO space station operation subject to the provisions in Appendices 30 and 30A of the ITU Radio Regulations (incorporated by reference, see §25.108) may be initiated by submitting to the Commission, in accordance with the applicable provisions of part 1, subpart Y of this chapter, a draft ITU filing to: modify an existing frequency assignment in the Region 2 Plan; to include a new frequency assignment in the Region 2 Plan; or to include a new or modified frequency assignment in the List of the Regions 1 and 3 Plan, accompanied by a simplified Form 312 and a declaration of acceptance of ITU cost-recovery responsibility in accordance with §25.111(d). The simplified Form 312, Main Form submission must include the information required by items 1-17, 43, 45, and 46. In addition, the applicant must submit the results of an analysis demonstrating that no U.S. filing under Appendix 30 and 30A would be deemed affected by the proposed operation under the relevant ITU criteria or, for any affected filings, a letter signed by the affected operator that it consents to the new filing.

(iv) An application initiated pursuant to paragraphs (b)(3)(i), (ii), or (iii) of this section will be considered completed by the filing of an FCC Form 312 and the remaining information required in a complete license application, including the information required by §25.114, within two years of the date of submission of the initial application materials.

(c) All correspondence concerning any application must identify:

(1) The applicant's name,
 (2) The call sign of the space station or earth station, and

(3) The file number of the application.

(d) *Copies.* Applications must be filed electronically through ICFS. The Commission will not accept any paper version of any application.

(e) *Signing.* Upon filing an application electronically, the applicant must print out the filed application, obtain the proper signatures, and keep the original in its files.

(f) An applicant must pay the appropriate filing fee in accordance with part 1, subpart G of this chapter, at the time when it files a FCC Form 312.

[69 FR 47793, Aug. 6, 2004, as amended at 78 FR 8420, Feb. 6, 2013; 81 FR 55325, Aug. 18, 2016; 86 FR 49488, Sept. 3, 2021; 88 FR 21440, Apr. 10, 2023]

§ 25.111 Additional information, ITU filings, and ITU cost recovery.

(a) The Commission may request from any party at any time additional information concerning any application, or any other submission or pleading regarding an application, filed under this part.

(b) Applicants and licensees of radio stations governed by this part must provide the Commission with the information required for Advance Publication, Coordination, and Notification of frequency assignment filings, including due diligence information, pursuant to the Radio Regulations of the International Telecommunication Union. No protection from interference caused by radio stations authorized by other Administrations is guaranteed unless ITU procedures are timely completed or, with respect to individual Administrations, coordination agreements are successfully completed. A license for which such procedures have not been completed may be subject to additional terms and conditions required for coordination of the frequency assignments with other Administrations.

(c) In the Direct Broadcast Satellite service, applicants and licensees shall also provide the Commission with all information it requires in order to modify the plans for the Broadcasting-Satellite Service (BSS) in Appendix 30 of the ITU Radio Regulations (RR) and associated feeder-link plans in Appendix 30A of the ITU RR, if the system has technical characteristics differing from those specified in the Appendix 30 BSS Plans, the Appendix 30A feederlink Plans, Annex 5 to Appendix 30, or Annex 3 to Appendix 30A. For such systems, no protection from interference caused by radio stations authorized by other Administrations is guaranteed until the agreement of all affected Administrations is obtained and the frequency assignment becomes a part of the appropriate Region 2 BSS

and feeder-link Plans. Authorizations for which coordination is not completed and/or for which the necessary agreements under Appendices 30 and 30A have not been obtained may be subject to additional terms and conditions as required to effect coordination or obtain the agreement of other Administrations. Applicants and licensees shall also provide the Commission with the information required by Appendix 4 of the ITU RR for advance publication and notification or coordination of the frequencies to be used for tracking, telemetry and control functions of DBS systems.

(d) The Commission will submit filings to the ITU on behalf of an applicant, licensee, or other requesting party only after the party has filed a signed declaration of unconditional acceptance of all consequent ITU cost-recovery responsibility. Applicants and licensees must file the declaration electronically in the application file in the International Communications Filing System (ICFS). In addition, applicants and licensees must reference the call sign and name of the satellite network in the declaration. All cost-recovery declarations must include the name(s), address(es), email address(es), and telephone number(s) of a contact person, or persons, responsible for cost recovery inquiries and ITU correspondence and filings. Supplements must be filed as necessary to apprise the Commission of changes in the contact information until the ITU cost-recovery responsibility is discharged. The applicant, licensee, or other party must remit payment of any resultant cost-recovery fee to the ITU by the due date specified in the ITU invoice, unless an appeal is pending with the ITU that was filed prior to the due date. A license granted in reliance on such a commitment will be conditioned upon discharge of any such cost-recovery obligation. Where an applicant or licensee has an overdue ITU cost-recovery fee and does not have an appeal pending with the ITU, the Commission will dismiss any application associated with that satellite network.

(e) The Commission will process and forward to the ITU up to five Advance Publication filings by an entity that are not accompanied by a complete