

§ 101.137

may share such systems with, or provide private carrier services to, Federal Government entities, provided the communications carried are permissible under §101.603;

(b) The licensee must maintain access to and control over all facilities authorized under its license;

(c) All sharing and private carrier arrangements must be conducted pursuant to a written agreement to be kept as part of the station records; and

(d) The licensee must keep an up-to-date list of system sharers and private carrier subscribers and the basis of their eligibility under this part. Such records must be kept current and must be made available upon request for inspection by the Commission.

(e) Applicants licensed in the MAS frequencies after June 2, 2000, shall not provide service to others on a for-profit private carrier basis in the 928–928.85/952–952.85/956.25–956.45 MHz bands and the 932.25–932.5/941.25–941.5 MHz bands.

[61 FR 26677, May 28, 1996, as amended at 65 FR 17449, Apr. 3, 2000; 65 FR 38330, June 20, 2000; 66 FR 35110, July 3, 2001]

§ 101.137 Interconnection of private operational fixed point-to-point microwave stations.

Private operational fixed point-to-point microwave stations may be interconnected with facilities of common carriers subject to applicable tariffs.

§ 101.139 Authorization of transmitters.

(a) Except for transmitters used at developmental stations or for fixed point-to-point operation pursuant to subparts H and I of this part, each transmitter must be a type which has been certificated by the Commission for use under the applicable rules of this part. Transmitters used in the private operational fixed and common carrier fixed point-to-point microwave services under subparts H and I of this part must be of a type that has been verified for compliance. Transmitters designed for use in the 31.0–31.3 GHz band and transmitters designed for MVDDS use in the 12,200–12,700 MHz band will be authorized under the verification procedure.

(b) Any manufacturer of a transmitter to be produced for use under the

47 CFR Ch. I (10–1–02 Edition)

rules of this part may request certification or obtain verification by following the applicable procedures set forth in part 2 of this chapter.

(c) Certification for an individual transmitter may also be requested by an applicant for a station authorization, pursuant to the procedures set forth in part 2 of this chapter.

(d) A transmitter presently shown on an instrument of authorization, which operates on an assigned frequency in the 890–940 MHz band and has not been certificated, may continue to be used by the licensee without certification provided such transmitter continues otherwise to comply with the applicable rules and regulations of the Commission.

(e) Certification or verification is not required for portable transmitters operating with peak output power not greater than 250 mW. If operation of such equipment causes harmful interference the FCC may, at its discretion, require the licensee to take such corrective action as is necessary to eliminate the interference.

(f) After July 15, 1996, the manufacturer (except for export) or importation of equipment employing digital modulation techniques in the 3700–4200, 5925–6425, 6525–6875, 10,550–10,680 and 10,700–11,700 MHz bands must meet the minimum payload capacity requirements of §101.141.

(g) After January 1, 2001, a transmitter operating on the 24,250–24,450 MHz and 25,050–25,250 MHz bands must meet the emission limitation set forth in §101.111(a)(2)(ii).

[63 FR 36611, July 7, 1998, as amended at 65 FR 59358, Oct. 5, 2000; 67 FR 43038, June 26, 2002]

§ 101.141 Microwave modulation.

(a) Microwave transmitters employing digital modulation techniques and operating below 19.7 GHz (except for MVDDS stations in the 12,200–12,700 MHz band) must, with appropriate multiplex equipment, comply with the following additional requirements:

(1) The bit rate, in bits per second, must be equal to or greater than the bandwidth specified by the emission designator in Hertz (*e.g.*, to be acceptable, equipment transmitting at a 20 Mb/s rate must not require a bandwidth