

PART 300—MANUAL OF REGULATIONS AND PROCEDURES FOR FEDERAL RADIO FREQUENCY MANAGEMENT

AUTHORITY: 47 U.S.C. 901 *et seq.*, Executive Order 12046 (March 27, 1978), 43 FR 13349, 3 CFR 1978 Comp., p. 158.

§ 300.1 Incorporation by reference of the Manual of Regulations and Procedures for Federal Radio Frequency Management.

(a) The Manual of Regulations and Procedures for Federal Radio Frequency Management (hereinafter referred to as the NTIA Manual) is issued by the Assistant Secretary of Commerce for Communications and Information, and is specifically designed to cover the Assistant Secretary's frequency management responsibilities pursuant to delegated authority under 47 U.S.C. 901 *et seq.* and Executive Order 12046 (March 27, 1978).

(b) The Federal agencies shall comply with the requirements set forth in the May 1992 edition of the NTIA Manual, as revised through June 1993, which is incorporated by reference with approval of the Director, Office of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(c) The NTIA Manual is scheduled for revision in January, May, and September of each year and notices of these changes are printed in the FEDERAL REGISTER. The complete NTIA Manual can be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, by referring to Catalog Number 903-008-00000-8. A reference copy of the NTIA Manual, including all revisions in effect, is available for use in the office of the Program Manager, Spectrum Openness Program, Room 4092, 14th St. and Pennsylvania Ave., Washington, DC 20230. The NTIA Manual is on file in the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC 20002.

[58 FR 44136, Aug. 19, 1993]

PART 301—MANDATORY REIMBURSEMENT FOR FREQUENCY BAND OR GEOGRAPHIC RELOCATION OF SPECTRUM-DEPENDENT SYSTEMS

Subpart A—General Information

Sec.

- 301.1 Purpose.
- 301.10 Applicability.
- 301.20 Definitions.

Subpart B—Procedure for Reimbursement for Relocations and Dispute Resolution

- 301.100 Costs to relocate.
- 301.110 Notification of marginal costs.
- 301.120 Negotiations and mediation.
- 301.130 Non-binding arbitration.
- 301.140 Petition for relocation.
- 301.150 Request for withdrawal.

AUTHORITY: 47 U.S.C. 921, *et seq.*; Pub. L. 105-261, 112 Stat. 1920.

SOURCE: 67 FR 41193, July 17, 2002, unless otherwise noted.

Subpart A—General Information

§ 301.1 Purpose.

Pursuant to Public Law 105-261 (112 Stat. 1920), private sector entities are required to reimburse Federal users for relocation of Federal Government stations from one or more frequencies due to reallocation. Reimbursement costs are in addition to funds paid by the non-Government licensee in connection with grant of the license by the Federal Communications Commission.

§ 301.10 Applicability.

(a) *Affected bands.* (1) These provisions apply to Government assignments in the following bands of frequencies located below 3 GHz:

- (i) 216 to 220 MHz.
- (ii) 1432 to 1435 MHz.
- (iii) 1710 to 1755 MHz.
- (iv) 2385 to 2390 MHz.

(2) NTIA will identify additional bands that may become subject to this part in a public notice and request for comments published in the FEDERAL REGISTER.

(b) *Availability of comparable facility.* The Federal entity will not be required