

Federal Communications Commission

§ 1.2102

FCC 753 Restricted Radiotelephone Operator Permit Application;
FCC 755 Application for Restricted Radiotelephone Operator Permit—Limited Use;
FCC 756 Application for Commercial Radio Operator License.

[57 FR 187, Jan. 3, 1992, as amended at 57 FR 48333, Oct. 23, 1992; 59 FR 63051, Dec. 7, 1994; 63 FR 68942, Dec. 14, 1998; 68 FR 66277, Nov. 25, 2003]

EFFECTIVE DATE NOTE: At 68 FR 66277, Nov. 25, 2003, §1.2003 introductory text, and the entry for “FCC 603” were revised. This amendment contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

Subpart Q—Competitive Bidding Proceedings

SOURCE: 59 FR 44293, Aug. 26, 1994, unless otherwise noted.

GENERAL PROCEDURES

§ 1.2101 Purpose.

The provisions of this subpart implement Section 309(j) of the Communications Act of 1934, as added by the Omnibus Budget Reconciliation Act of 1993 (Pub. L. 103-66) and the Balanced Budget Act of 1997 (Pub. L. 105-33), authorizing the Commission to employ competitive bidding procedures to choose from among two or more mutually exclusive applications for certain initial licenses.

[63 FR 2340, Jan. 15, 1998]

§ 1.2102 Eligibility of applications for competitive bidding.

(a) Mutually exclusive initial applications are subject to competitive bidding.

(b) The following types of license applications are not subject to competitive bidding procedures:

(1) Public safety radio services, including private internal radio services used by state and local governments and non-government entities and including emergency road services provided by not-for-profit organizations, that

(i) Are used to protect the safety of life, health, or property; and

(ii) Are not commercially available to the public;

(2) Initial licenses or construction permits for digital television service given to existing terrestrial broadcast licensees to replace their analog television service licenses; or

(3) Noncommercial educational and public broadcast stations described under 47 U.S.C. 397(6).

(c) Applications in the following services or classes of services are not subject to competitive bidding:

(1) Alaska-Private Fixed Stations (see 47 CFR part 80, subpart O);

(2) Broadcast radio (AM and FM) and broadcast television (VHF, UHF, LPTV) under 47 CFR part 73;

(3) Broadcast Auxiliary and Cable Television Relay Services (see 47 CFR part 74, subparts D, E, F, G, H and L and part 78, subpart B);

(4) Instructional Television Fixed Service (see 47 CFR part 74, subpart I);

(5) Maritime Support Stations (see 47 CFR part 80, subpart N);

(6) Marine Operational Fixed Stations (see 47 CFR part 80, subpart L);

(7) Marine Radiodetermination Stations (see 47 CFR part 80, subpart M);

(8) Personal Radio Services (see 47 CFR part 95), except applications filed after July 26, 1993, in the Interactive Video Data Service (see 47 CFR part 95, subpart F);

(9) Public Safety, Industrial/Land Transportation, General and Business Radio categories above 800 MHz, including finder's preference requests for frequencies not allocated to the SMR service (see 47 CFR 90.173), and including, until further notice of the Commission, the Automated Vehicle Monitoring Service (see 47 CFR 90.239);

(10) Private Land Mobile Radio Services between 470-512 MHz (see 47 CFR part 90, subparts B-F), including those based on finder's preferences, (see 47 CFR 90.173);

(11) Private Land Mobile Radio Services below 470 MHz (see 47 CFR part 90, subparts B-F) except in the 220 MHz band (see 47 CFR part 90, subpart T), including those based on finder's preferences (see 47 CFR §90.173); and

(12) Private Operational Fixed Services (see 47 CFR part 94).