

### §21.3

share facilities with other MDS response station hubs, ITFS response station hubs authorized pursuant to §74.939 of this chapter, MDS signal booster stations, ITFS signal booster stations, MDS stations, and/or ITFS stations.

*Response station hub license.* A blanket license authorizing the operation of a single response station hub at a specific location and the operation of a specified number of associated digital response stations of one or more classes at unspecified locations within one or more regions of the response service area.

*Sectorization.* The use of an antenna system at an MDS station, booster station and/or response station hub that is capable of simultaneously transmitting multiple signals over the same frequencies to different portions of the service area and/or simultaneously receiving multiple signals over the same frequencies from different portions of the service area.

*Signal Booster Station.* An MDS station licensed for use in accordance with §21.913 that operates on one or more MDS channels. Signal booster stations are intended to augment service as part of a distributed transmission system where signal booster stations retransmit the signals of one or more MDS stations and/or originate transmissions on MDS channels. A signal booster station licensed under this part may share facilities with other MDS signal booster stations, ITFS signal booster stations authorized pursuant to §74.985 of this chapter, MDS response station hubs and/or ITFS response station hubs.

*Standby transmitter.* A transmitter installed and maintained for use in lieu of the main transmitter only during periods when the main transmitter is out of service for maintenance or repair.

*Symbol rate.* Modulation rate in bauds. This rate may be higher than the transmitted bit rate as in the case of coded pulses or lower as in the case of multilevel transmission.

*Television.* A form of telecommunication for transmission of transient images of fixed or moving objects.

*Television STL station (studio transmitter link).* A fixed station used for the

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transmission of television program material and related communications from a studio to the transmitter of a television broadcast station.

[61 FR 26671, May 28, 1996, as amended at 63 FR 65100, Nov. 25, 1998; 64 FR 63730, Nov. 22, 1999]

## Subpart B—Applications and Licenses

### GENERAL FILING REQUIREMENTS

#### §21.3 Station authorization required.

(a) No person shall use or operate apparatus for the transmission of energy or communications or signals by radio except under, and in accordance with, an appropriate authorization granted by the Federal Communications Commission. Except as otherwise provided herein, no construction or modification of a station may be commenced without an authorization from the Commission. Authorizations for domestic public fixed radio services are governed by the provisions of this part.

(b) If construction and or operation may have a significant environmental impact as defined by §1.1307 of the Commission's rules, the requisite environmental assessment as prescribed in §1.1311 of this chapter must be filed with the application and Commission environmental review must be completed before construction of the station is initiated. See §1.1312 of this chapter.

[52 FR 37777, Oct. 9, 1987, as amended at 55 FR 20397, May 16, 1990; 61 FR 26673, May 28, 1996]

#### §21.4 Eligibility for station license.

A station license may not be granted to or held by:

(a) Any alien or the representative of any alien.

(b) Any foreign government or the representative thereof.

(c) Any corporation organized under the laws of any foreign government.

(d) Any corporation of which more than one-fifth of the capital stock is owned of record or voted by: aliens or their representatives; a foreign government or representatives thereof; or any corporation organized under the laws of a foreign country.

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(e) Any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign government, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

[44 FR 60534, Oct. 19, 1979, as amended at 61 FR 55580, Oct. 28, 1996]

### § 21.5 Formal and informal applications.

(a) Except for an authorization under any of the proviso clauses of section 308(a) of the Communications Act of 1934 (47 U.S.C. 308(a)), the Commission shall grant the following authorizations only upon written application: Station licenses; modifications of station licenses; renewals of station licenses; extensions of time to construct; transfers and assignments of station licenses or of any rights thereunder.

(b) Except as may be otherwise permitted by this part, a separate written application shall be filed for each instrument of authorization requested. Applications may be:

(1) "Formal applications" where the Commission has prescribed in this part a standard form; or

(2) "Informal applications" (normally in letter form) where the Commission has not prescribed a standard form.

(c) An informal application will be accepted for filing only if:

(1) A standard form is not prescribed or clearly applicable to the authorization requested;

(2) It is a document submitted, in duplicate, with a caption which indicates clearly the nature of the request, radio service involved, location of the station, and the application file number (if known); and

(3) It contains all the technical details and informational showings required by the rules and states clearly and completely the facts involved and authorization desired.

[44 FR 60534, Oct. 19, 1979, as amended at 52 FR 3777, Oct. 9, 1987]

### § 21.6 Filing of applications, fees, and number of copies.

(a) As prescribed by §§ 21.7 and 21.11 of this part, standard formal application forms applicable to the radio services included in this part may be obtained from either:

(1) Federal Communications Commission, Washington, DC 20554; or

(2) Any of the Commission's field operations offices, the addresses of which are listed in § 0.121.

(b) Applications requiring fees as set forth in part 1, subpart G of this chapter must be filed in accordance with § 0.401(b) of this chapter. Applications not requiring fees shall be submitted to: Federal Communications Commission, Washington, DC 20554.

(c) All correspondence or amendments concerning a submitted application shall clearly identify the radio service, the name of the applicant, station location, and the Commission file number (if known) or station call sign of the application involved. All correspondence or amendments concerning a submitted application may be sent directly to the Wireless Telecommunications Bureau.

(d) Except as otherwise specified, all applications, amendments, and correspondence shall be submitted in duplicate, including exhibits and attachments thereto, and shall be signed as prescribed by § 1.743.

(e) Each application shall be accompanied by the appropriate fee prescribed by, and submitted in accordance with, subpart G of part 1 of this chapter.

[44 FR 60534, Oct. 19, 1979, as amended at 52 FR 10230, Mar. 31, 1987; 52 FR 3777, Oct. 9, 1987; 58 FR 19774, Apr. 16, 1993; 61 FR 26673, May 28, 1996; 67 FR 13230, Mar. 21, 2002]

### § 21.7 Standard application form for domestic public fixed radio service licenses.

Except for the Multipoint Distribution Service, FCC Form 494 ("Application for a New and Modified Microwave Radio Station License Under Part 21") shall be submitted and a license granted for each station prior to commencement of any proposed station construction. FCC Form 494 also shall be submitted to amend any license application, to modify any license pursuant to