

§ 23.21

(5) The Commission will not screen applications to determine whether advance consultation has taken place. However, applicants are advised that such consultation can avoid objections from the Federal Communications Commission or modification of any authorization which will cause harmful interference.

(f) Any applicant for a new permanent base or fixed station to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, Post Office Box 995, Arecibo, Puerto Rico 00613, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu

(1) The notification to the Interference Office, Arecibo Observatory shall be made prior to, or simultaneously with, the filing of the application with the Commission. The notification shall state the geographical coordinates of the antenna (NAD-83 datum), antenna height above ground, ground elevation at the antenna, antenna directivity and gain, proposed frequency and FCC Rule Part, type of emission, effective radiated power, and whether the proposed use is itinerant. Generally, submission of the information in the technical portion of the FCC license application is adequate notification. In addition, the applicant shall indicate in its application to the Commission the date notification was made to the Arecibo Observatory.

(2) After receipt of such applications, the Commission will allow the Arecibo Observatory a period of 20 days for comments or objections in response to the notification indicated. The applicant will be required to make reasonable efforts in order to resolve or mitigate any potential interference problem with the Arecibo Observatory and

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to file either an amendment to the application or a modification application, as appropriate. If the Commission determines that an applicant has satisfied its responsibility to make reasonable efforts to protect the Observatory from interference, its application may be granted.

(3) The provisions of this paragraph do not apply to operations that transmit on frequencies above 15 GHz.

[28 FR 13032, Dec. 5, 1963, as amended at 42 FR 8329, Feb. 9, 1977; 42 FR 27894, June 1, 1977; 44 FR 77167, Dec. 31, 1979; 50 FR 39002, Sept. 26, 1985; 58 FR 44904, Aug. 25, 1993; 61 FR 8477, Mar. 5, 1996; 62 FR 55530, Oct. 27, 1997]

§ 23.21 Communications by international control stations.

Stations in the international fixed public control service are authorized to communicate between transmitting stations, receiving stations, message centers or control points operating in the international fixed public radiocommunication services for the purpose of handling service messages or international traffic between these points: *Provided*, That only traffic originating in or destined to points outside the contiguous states may be handled. Frequencies in bands designated for international control stations in Part 2 of this chapter may be assigned to these stations.

[38 FR 22480, Aug. 21, 1973]

§ 23.23 Use of frequencies for radiotelegraph communication within the continental United States.

Licensees of point-to-point radiotelegraph stations may use any frequency authorized in a station license for communication between designated points within the 48 contiguous states and the District of Columbia upon the express condition that the use of any frequency above 5000 kHz shall be subject to the limitation that no interference shall be caused to the international service, or to service with Alaska or Hawaii; and in the event such interference is caused the licensee shall immediately discontinue the use of the frequency or frequencies producing such interference and operation thereon may be conducted only at times when such interference will not be caused.