

Federal Communications Commission

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(2) Only to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories from three to five years after the release of a public notice announcing the completion of band reconfiguration in that region;

(3) To all entities five years after release of a public notice announcing the completion of band reconfiguration in that region.

(c) Spectrum Block F1 consists of channels 236-260.

[70 FR 6759, Feb. 8, 2005]

**§ 90.617 Frequencies in the 809.750-824/854.750-869 MHz, and 896-901/935-940 MHz bands available for trunked, conventional or cellular system use in non-border areas.**

Except for the counties and parishes listed in § 90.614(c), the following channels will be available at locations farther than 110 km (68.4 miles) from the U.S./Mexico border and 140 km (87 miles) from the U.S./Canadian border ("non-border areas"). The channels in the counties and parishes listed in § 90.614(c) will be available in accordance with an agreement between Southern LINC and Nextel Communications, Inc. The agreement will be approved by the Chief of the Wireless Telecommunications Bureau.

(a) The channels listed in Table 1 and paragraph (a)(1) of this section are available for non-cellular operations to eligible applicants in the Public Safety Category which consists of licensees eligible in the Public Safety Pool of subpart B of this part. 800 MHz cellular systems as defined in § 90.7 are prohibited on these channels. These frequencies are available in non-border areas. Specialized Mobile Radio Systems will not be authorized in this category. These channels are available for intercategory sharing as indicated in § 90.621(e).

TABLE 1.—PUBLIC SAFETY POOL 806-816/851-861 MHZ BAND CHANNELS  
[70 channels]

Group No.	Channel Nos.
269 .....	269-289-311-399-439
270 .....	270-290-312-400-440
279 .....	279-299-319-339-359
280 .....	280-300-320-340-360
309 .....	309-329-349-369-389
310 .....	310-330-350-370-390
313 .....	313-353-393-441-461

TABLE 1.—PUBLIC SAFETY POOL 806-816/851-861 MHZ BAND CHANNELS—Continued  
[70 channels]

Group No.	Channel Nos.
314 .....	314-354-394-448-468
321 .....	321-341-361-381-419
328 .....	328-348-368-388-420
351 .....	351-379-409-429-449
332 .....	352-380-410-430-450
Single Channels .....	391, 392, 401, 408, 421, 428, 459, 460, 469, 470

(1) Channel numbers 1-230 are also available to eligible applicants in the Public Safety Category in non-border areas. The assignment of these channels will be done in accordance with the policies defined in the Report and Order of Gen. Docket No. 87-112 (See § 90.16).

(2) [Reserved]

(b) Unless otherwise specified, the channels listed in Table 2 are available for non-cellular operations to applicants eligible in the Industrial/Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in § 90.603(c). 800 MHz cellular systems, as defined in § 90.7, are prohibited on these channels. These frequencies are available in non-border areas. Specialized Mobile Radio (SMR) systems will not be authorized on these frequencies. These channels are available for inter-category sharing as indicated in § 90.621(e).

TABLE 2.—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 806-816/851-861 MHZ BAND CHANNELS  
[100 channels]

Group No.	Channel Nos.
322 .....	322-362-402-442-482
323 .....	323-363-403-443-483
324 .....	324-364-404-444-484
325 .....	325-365-405-445-485
326 .....	326-366-406-446-486
327 .....	327-367-407-447-487
342 .....	342-382-422-462-502
343 .....	343-383-423-463-503
344 .....	344-384-424-464-504
345 .....	345-385-425-465-505
346 .....	346-386-426-466-506
347 .....	347-387-427-467-507
Single Channels .....	261, 271, 281, 291, 301, 262, 272, 282, 292, 302, 263, 273, 283, 293, 303, 264, 274, 284, 294, 304, 265, 275, 285, 295, 305, 266, 276, 286, 296, 306, 267, 277, 287, 297, 307, 268, 278, 288, 298, 308

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(c) The channels listed in Table 3 are available to applicants eligible in the Industrial/Business Pool of subpart C of this part but exclude Special Mobilized Radio Systems as defined in § 90.603(c). These frequencies are available in non-border areas. Specialized Mobile Radio (SMR) systems will not be authorized on these frequencies. These channels are available for intercategory sharing as indicated in § 90.621(e).

For multi-channel systems, channels may be grouped vertically or horizontally as they appear in the following table.

**TABLE 3.—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 896–901/935–940 MHZ BAND CHANNELS**

[199 channels]

Channel Nos.	
11–12–13–14–15 .....	211–212–213–214–215
16–17–18–19–20 .....	216–217–218–219–220
31–32–33–34–35 .....	231–232–233–234–235
36–37–38–39–40 .....	236–237–238–239–240
51–52–53–54–55 .....	251–252–253–254–255
56–57–58–59–60 .....	256–257–258–259–260
71–72–73–74–75 .....	271–272–273–274–275
76–77–78–79–80 .....	276–277–278–279–280
91–92–93–94–95 .....	291–292–293–294–295
96–97–98–99–100 ....	296–297–298–299–300
111–112–113–114–115.	311–312–313–314–315
116–117–118–119–120.	316–317–318–319–320
131–132–133–134–135.	331–332–333–334–335
136–137–138–139–140.	336–337–338–339–340
151–152–153–154–155.	351–352–353–354–355
156–157–158–159–160.	356–357–358–359–360
171–172–173–174–175.	371–372–373–374–375
176–177–178–179–180.	376–377–378–379–380

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**TABLE 3.—BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL 896–901/935–940 MHZ BAND CHANNELS—Continued**

[199 channels]

191–192–193–194–195.	391–392–393–394–395
196–197–198–199–200.	396–397–398–399

(d) Unless otherwise specified, the channels listed in Tables 4A and 4B are available for non-cellular operations only to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. 800 MHz cellular systems, as defined in § 90.7 are prohibited on these channels. These frequencies are available in non-border areas. The spectrum blocks listed in Table 4A are available for EA-based services (as defined by § 90.681) prior to January 21, 2005. No new EA-based services will be authorized after January 21, 2005. EA-based licensees who operate non-cellular systems prior to January 21, 2005 may choose to remain on these channels in the non-cellular portion of the 800 MHz band (as defined in § 90.614). These licensees may continue to operate non-cellular systems and will be grandfathered indefinitely. The channels listed in Table 4B will be available for site-based licensing after January 21, 2005 in any Economic Area where no EA-based licensee is authorized for these channels.

**TABLE 4A.—EA-BASED SMR CATEGORY 806–816/851–861 MHZ BAND CHANNELS FOR NON-CELLULAR OPERATIONS AVAILABLE PRIOR TO JANUARY 21, 2005**

[80 channels]

Spectrum block	Channel Nos.
G .....	311–351–391–431–471
H .....	312–352–392–432–472
I .....	313–353–393–433–473
J .....	314–354–394–434–474
K .....	315–355–395–435–475
L .....	316–356–396–436–476
M .....	317–357–397–437–477
N .....	318–358–398–438–478
O .....	331–371–411–451–491
P .....	332–372–412–452–492
Q .....	333–373–413–453–493
R .....	334–374–414–454–494
S .....	335–375–415–455–495
T .....	336–376–416–456–496
U .....	337–377–417–457–497
V .....	338–378–418–458–498

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TABLE 4B.—SMR CATEGORY 806–816/851–861 MHZ BAND CHANNELS FOR NON-CELLULAR OPERATIONS AVAILABLE FOR SITE-BASED LICENSING AFTER JANUARY 21, 2005  
[80 channels]

Spectrum block	Channel Nos.
315 .....	315–355–395–435–475
316 .....	316–356–396–436–476
317 .....	317–357–397–437–477
318 .....	318–358–398–438–478
331 .....	331–371–411–451–491
332 .....	332–372–412–452–492
333 .....	333–373–413–453–493
334 .....	334–374–414–454–494
335 .....	335–375–415–455–495
336 .....	336–376–416–456–496
337 .....	337–377–417–457–497
338 .....	338–378–418–458–498
Single Channels .....	431, 432, 433, 434, 471, 472, 473, 474, 479, 480, 481, 488, 489, 490, 499, 500, 501, 508, 509, 510

(e) The Channels listed in §90.614(b) and (c) are available to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. ESMR licensees which employ an 800 MHz cellular system, as defined in §90.7, are permitted to operate on these channels in non-border areas. ESMR licensees authorized prior to January 21, 2005 may continue to operate, if they so choose, on the channels listed in Table 5. These licensees will be grandfathered indefinitely.

TABLE 5.—ESMR CATEGORY 816–821/861–866 MHZ BAND CHANNELS FOR CELLULAR OPERATIONS IN NON-BORDER AREAS AVAILABLE PRIOR TO JANUARY 21, 2005  
[200 channels]

Spectrum block	Channel Nos.
A .....	511 through 530
B .....	531 through 590
C .....	591 through 710

(f) The channels listed in Tables 6 are available for operations only to eligibles in the SMR category—which consists of Specialized Mobile Radio (SMR) stations and eligible end users. These frequencies are available in non-border areas. The spectrum blocks listed below are available for EA-based services according to §90.681.

TABLE 6.—SMR CATEGORY 896–901/935–940 MHZ BAND CHANNELS  
[200 channels]

Block	Channel Nos.
A .....	1–2–3–4–5–6–7–8–9–10
B .....	21–22–23–24–25–26–27–28–29–30
C .....	41–42–43–44–45–46–47–48–49–50
D .....	61–62–63–64–65–66–67–68–69–70
E .....	81–82–83–84–85–86–87–88–89–90
F .....	101–102–103–104–105–106–107–108–109–110
G .....	121–122–123–124–125–126–127–128–129–130
H .....	141–142–143–144–145–146–147–148–149–150
I .....	161–162–163–164–165–166–167–168–169–170
J .....	181–182–183–184–185–186–187–188–189–190
K .....	201–202–203–204–205–206–207–208–209–210
L .....	221–222–223–224–225–226–227–228–229–230
M .....	241–242–243–244–245–246–247–248–249–250
N .....	261–262–263–264–265–266–267–268–269–270
O .....	281–282–283–284–285–286–287–288–289–290
P .....	301–302–303–304–305–306–307–308–309–310
Q .....	321–322–323–324–325–326–327–328–329–330
R .....	341–342–343–344–345–346–347–348–349–350
S .....	361–362–363–364–365–366–367–368–369–370
T .....	381–382–383–384–385–386–387–388–389–390

(g) In a given 800 MHz NPSPAC region, channels below 470 listed in Tables 2 and 4B which are vacated by an ESMR licensee and remain vacant after band reconfiguration will be available as follows:

(1) Only to eligible applicants in the Public Safety Category until three years after the release of a public notice announcing the completion of band reconfiguration in that region;

(2) Only to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories from three to five years after the release of a public notice announcing the completion of band reconfiguration in that region;

(3) Five years after the release of a public notice announcing the completion of band reconfiguration in that region, these channels revert back to their original pool categories.

(h) In a given 800 MHz NPSPAC region, channels below 470 listed in Tables 2 and 4B which are vacated by a licensee relocating to channels 511–550 and remain vacant after band reconfiguration will be available as follows:

(1) Only to eligible applicants in the Public Safety Category until three years after the release of a public notice announcing the completion of band reconfiguration in that region;

(2) Only to eligible applicants in the Public Safety or Critical Infrastructure Industry Categories from three to five years after the release of a public notice announcing the completion of band reconfiguration in that region;

(3) Five years after the release of a public notice announcing the completion of band reconfiguration in that region, these channels revert back to their original pool categories.

(i) Special Mobilized Radio Systems licensees who operate non-cellular systems on any of the public safety channels listed in Table 1 prior to January 21, 2005 are grandfathered and may continue to operate on these channels indefinitely. These grandfathered licensees will be prohibited from operating 800 MHz cellular systems as defined in § 90.7. Site-based licensees who are grandfathered on any of the public safety channels listed in Table 1 may modify their license only if they obtain concurrence from a certified public safety coordinator in accordance with § 90.175(c). Grandfathered EA-based licensees, however, are exempt from any of the frequency coordination requirements of § 90.175 as long as their operations remain within the Economic Area defined by their license in accordance with the requirements of § 90.683(a).

(j) Licensees operating ESMR systems in the non-cellular portion of the band (as defined in § 90.614) prior to January 21, 2005 may elect to continue operating in the non-cellular portion of the band. These licensees will be permitted to continue operating 800 MHz cellular systems (as defined in § 90.7) in the non-cellular portion of the band. These licensees will be grandfathered indefinitely subject to the provisions of §§ 90.673, 90.674 and 90.675.

(k) Licensees may operate systems other than 800 MHz cellular systems (as

defined in § 90.7) on Channels 511–550 at any location vacated by an EA-based SMR licensee. For operations on these channels, unacceptable interference (as defined in § 22.970 of this chapter and § 90.672) will be deemed to occur only at sites where the following median desired signals are received (rather than those specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i)). The minimum required median desired signal, as measured at the R.F. input of the receiver, will be as follows:

(1) Mobile units:

(i) For channels 511 to 524—the minimum median desired signal levels specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 524 to 534—the minimum median desired signal level shall increase linearly from the values specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) to –70 dBm;

(iii) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

(2) Portable units:

(i) For channels 511 to 524—the minimum median desired signal levels specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) shall apply;

(ii) For channels 524 to 530—the minimum median desired signal level shall increase linearly from the values specified in § 22.970(a)(1)(i) of this chapter and § 90.672(a)(1)(i) to –80 dBm;

(iii) For channels 530 to 534—the minimum median desired signal level shall increase linearly from –80 dBm to –70 dBm;

(iv) For channels 534 to 550—the minimum median desired signal level shall increase linearly from –70 dBm to –65 dBm.

[69 FR 67843, Nov. 22, 2004, as amended at 70 FR 6760, Feb. 8, 2005]

**§ 90.619 Operations within the U.S./Mexico and U.S./Canada border areas.**

(a) *Use of Frequencies in 800 MHz Band in Mexico Border Region.* All operations in the 806–824/851–869 MHz band within 110 km (68.4 miles) of the U.S./Mexico border (“Mexico border region”) shall be in accordance with international agreements between the U.S. and Mexico. Channels 231–710 are offset 12.5 kHz