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(v) In the event of interference, the Commission may require, without a hearing, licensees of base stations authorized under this section that are located within 241 kilometers (150 miles) of a co-channel public coast, I/LT, or grandfathered public safety station licensed prior to July 6, 1998, or an international border, to reduce power, decrease antenna height, and/or install directional antennas.

Mobile stations must be operated only within radio range of their associated base station.

(vi) Applicants seeking to be licensed for stations exceeding the power/antenna height limits of the table in paragraph (g)(5)(iv) of this section must request a waiver of that paragraph and must submit with their application an interference analysis, based upon an appropriate, generally-accepted terrain-based propagation model, that shows that co-channel protected entities, described in paragraph (g)(5)(iii) of this section, would receive the same or greater interference protection than the relevant criteria outlined in paragraph (g)(5)(iii) of this section.

(h) *Spectrum leasing arrangements.* Notwithstanding any other provisions of this section to the contrary, licensees in the Public Safety Radio Services (see part 90, subpart B) may enter into spectrum leasing arrangements (see part 1, subpart X of this chapter) with entities providing communications in support of public safety operations.

[62 FR 18845, Apr. 17, 1997, as amended at 63 FR 36608, July 7, 1998; 63 FR 58651, Nov. 2, 1998; 64 FR 10397, Mar. 4, 1999; 64 FR 36261, July 6, 1999; 65 FR 38326, June 20, 2000; 65 FR 43715, 43716, July 14, 2000; 65 FR 60874, Oct. 13, 2000; 65 FR 66650, Nov. 7, 2000; 67 FR 41858, June 20, 2002; 67 FR 63284, Oct. 11, 2002; 67 FR 70705, Nov. 26, 2002; 68 FR 19446, Apr. 21, 2003; 68 FR 38639, June 30, 2003; 68 FR 42298, July 17, 2003; 69 FR 16498, Mar. 30, 2004; 69 FR 48162, Aug. 9, 2004; 69 FR 46442, Aug. 3, 2004; 69 FR 67837, Nov. 22, 2004; 69 FR 77559, Dec. 27, 2004; 70 FR 21660, Apr. 27, 2005; 70 FR 29960, May 25, 2005; 70 FR 46678, Aug. 10, 2005; 70 FR 61060, Oct. 20, 2005]

§ 90.22 Paging operations.

Unless specified elsewhere in this part, paging operations may be authorized in the Public Safety Pool on any frequency except those assigned under

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the provisions of § 90.20(d)(78). Paging operations on frequencies subject to § 90.20(d)(78) authorized before August 17, 1974, may be continued only if they do not cause harmful interference to regular operations on the same frequencies. Such paging operations may be renewed indefinitely on a secondary basis to regular operations, except within 125 km (75 mi) of the following urbanized areas:

| Urbanized area | North latitude | West longitude |
|-----------------------------------|----------------|----------------|
| New York, NY-Northeastern NJ | 40-45-06.4 | 73-59-37.5 |
| Los Angeles-Long Beach, CA | 34-03-15.0 | 118-14-31.3 |
| Chicago, IL | 41-52-28.1 | 87-38-22.2 |
| Philadelphia, PA-NJ | 39-56-58.4 | 75-09-19.6 |
| Detroit, MI | 42-19-48.1 | 83-02-56.7 |
| San Francisco-Oakland, CA | 37-46-38.7 | 122-24-43.9 |
| Boston, MA | 42-21-24.4 | 71-03-23.2 |
| Washington, DC-MD-VA | 38-53-51.4 | 77-00-31.9 |
| Cleveland, OH | 41-29-51.2 | 81-41-49.5 |
| St Louis, MO-IL | 38-37-45.2 | 90-12-22.4 |
| Pittsburgh, PA | 40-26-19.2 | 79-59-59.2 |
| Minneapolis-St Paul, MN | 44-58-56.9 | 93-15-43.8 |
| Houston, TX | 29-45-26.8 | 95-21-37.8 |
| Baltimore, MD | 39-17-26.4 | 76-36-43.9 |
| Dallas, TX | 32-47-09.5 | 96-47-38.0 |
| Milwaukee, WI | 43-02-19.0 | 87-54-15.3 |
| Seattle-Everett, WA | 47-36-31.4 | 122-20-16.5 |
| Miami, FL | 25-46-38.4 | 80-11-31.2 |
| San Diego, CA | 32-42-53.2 | 117-09-24.1 |
| Atlanta, GA | 33-45-10.4 | 84-23-36.7 |
| Cincinnati, OH-KY | 39-06-7.2 | 84-30-34.8 |
| Kansas City, MO-KS | 39-04-56.0 | 94-35-20.8 |
| Buffalo, NY | 42-52-52.2 | 78-52-20.1 |
| Denver, CO | 39-44-58.0 | 104-59-23.9 |

[63 FR 68959, Dec. 14, 1998, as amended at 64 FR 36262, July 6, 1999; 65 FR 60874, Oct. 13, 2000]

Subpart C—Industrial/Business Radio Pool

SOURCE: 62 FR 18874, Apr. 17, 1997, unless otherwise noted.

§ 90.31 Scope.

The Industrial/Business Radio Pool covers the licensing of the radio communications of entities engaged in commercial activities, engaged in clergy activities, operating educational, philanthropic, or ecclesiastical institutions, or operating hospitals, clinics, or medical associations. Rules as to eligibility for licensing, frequencies available, permissible communications and

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classes and number of stations, and any special requirements are set forth in the following sections.

§ 90.33 General eligibility.

(a) In addition to the eligibility shown in the Industrial/Business Pool, eligibility is also provided for any corporation proposing to furnish nonprofit radiocommunication service to its parent corporation, to another subsidiary of the same parent, or to its own subsidiary. This corporate eligibility is not subject to the cooperative use provision of § 90.179.

(b) Eligibility is also provided for a nonprofit corporation or association that is organized for the purpose of furnishing a radiocommunications service to persons who meet the eligibility requirements of the Industrial/Business Pool. Such use is subject to the cooperative use provisions of § 90.179.

§ 90.35 Industrial/Business Pool.

(a) *Eligibility.* Persons primarily engaged in any of the following activities are eligible to hold authorizations in the Industrial/Business Pool to provide commercial mobile radio service as defined in part 20 of this chapter or to operate stations for transmission of communications necessary to such activities of the licensee:

(1) The operation of a commercial activity;

(2) The operation of educational, philanthropic, or ecclesiastical institutions;

(3) Clergy activities; or

(4) The operation of hospitals, clinics, or medical associations.

(b) *Industrial/Business Pool frequencies.*

(1) The following table indicates frequencies available for assignment to Industrial/Business Pool stations, together with the class of station(s) to which they are normally assigned, the specific assignment limitations which are explained in paragraph (b) of this section, and the certified frequency coordinator for each frequency:

(2) Unless otherwise specified, coordination of frequencies in the Industrial/Business pool must be done in accordance with the following:

(i) Unless specified elsewhere in this part, frequencies without any coordinator specified in the Coordinator col-

umn of paragraph (b)(3) of this section may be coordinated by any frequency coordinator certified in the Industrial/Business Pool.

(ii) A letter symbol in the Coordinator column of the frequency table in paragraph (b)(3) of this section designates the mandatory certified frequency coordinator for the associated frequency in the table. However, any coordinator certified in the Industrial/Business Pool may coordinate applications on such frequencies provided the prior written consent of the designated coordinator is obtained. Frequencies for which two coordinators are listed may be coordinated by either of the listed coordinators.

(iii) For frequencies above 150 MHz, applications for new or modified facilities on frequencies shared prior to radio service consolidation by the former Manufacturers Radio Service, the Forest Products Radio Service, the Power Radio Service, the Petroleum Radio Service, the Motor Carrier Radio Service, the Railroad Radio Service, the Telephone Maintenance Radio Service and the Automobile Emergency Radio Service may be coordinated by any certified Industrial/Business Pool coordinator. However, in the event that the interference contour of a proposed station would overlap the service contour of an existing station licensed on one of these previously shared frequencies, the written concurrence of the coordinator associated with the industry for which the existing station license was issued, or the written concurrence of the licensee of the existing station, shall be obtained. For the purposes of this § 90.35, the service contour for UHF stations is the 39 dBU contour; and the interference contour for UHF stations is the 21 dBU contour; the service contour for VHF stations is the 37 dBU contour; and the interference contour for VHF stations is the 19 dBU contour.

(iv) The letter symbols listed in the Coordinator column of the frequency table in paragraph (b)(3) of this section refer to specific frequency coordinators as follows:

IP—Petroleum Coordinator

IW—Power Coordinator

LR—Railroad Coordinator

LA—Automobile Emergency Coordinator