

**§ 74.28**

The applicable frequency coordination procedures have been successfully completed and the filed application is consistent with that coordination.

(2) The station site does not lie within an area requiring international coordination.

(3) If operated on frequencies in the 17.8-19.7 GHz band for any services or on frequencies in the 17.7-17.8 GHz band for MVPD operations, the station site does not lie within any of the areas identified in § 1.924 of this chapter.

(d) Operation under this section shall be suspended immediately upon notification from the Commission or by the District Director of a Commission field facility, and shall not be resumed until specific authority is given by the Commission or District Director. When authorized by the District Director, short test operations may be made.

(e) Conditional authority ceases immediately if the application(s) is returned by the Commission because it is not acceptable for filing.

(f) Conditional authorization does not prejudice any action the Commission may take on the subject application(s). Conditional authority is accepted with the express understanding that such authority may be modified or cancelled by the Commission at any time without hearing if, in the Commission's discretion, the need for such action arises. An applicant operating pursuant to this conditional authority assumes all risks associated with such operation, the termination or modification of the conditional authority, or the subsequent dismissal or denial of its application(s).

[68 FR 12762, Mar. 17, 2003, as amended at 69 FR 17958, Apr. 6, 2004; 71 FR 69048, Nov. 29, 2006]

**§ 74.28 Additional orders.**

In case the rules contained in this part do not cover all phases of operation or experimentation with respect to external effects, the FCC may make supplemental or additional orders in each case as may be deemed necessary.

[47 FR 53022, Nov. 24, 1982]

**47 CFR Ch. I (10-1-07 Edition)**

**§ 74.30 Antenna structure, marking and lighting.**

The provisions of part 17 of the FCC rules (Construction, Marking, and Lighting of Antenna Structures) require certain antenna structures to be painted and/or lighted in accordance with the provisions of §§ 17.47 through 17.56 of the FCC rules.

[47 FR 53022, Nov. 24, 1982]

**§ 74.32 Operation in the 17.7-17.8 GHz and 17.8-19.7 GHz bands.**

(a) To minimize or avoid harmful interference to Federal Government Satellite Earth Stations located in the Denver, Colorado and Washington, DC areas, any application for a new station license to provide MVPD operations in the 17.7-17.8 GHz band or to operate in the 17.8-19.7 GHz band for any service, or for modification of an existing station license in these bands which would change the frequency, power, emission, modulation, polarization, antenna height or directivity, or location of such a station, must be coordinated with the Federal Government by the Commission before an authorization will be issued, if the station or proposed station is located in whole or in part within any of the areas defined by the following rectangles or circles:

**DENVER, CO AREA**

Rectangle 1:

- 41°30'00" N. Lat. on the north
- 103°10'00" W. Long. on the east
- 38°30'00" N. Lat. on the south
- 106°30'00" W. Long. on the west

Rectangle 2:

- 38°30'00" N. Lat. on the north
- 105°00'00" W. Long. on the east
- 37°30'00" N. Lat. on the south
- 105°50'00" W. Long. on the west

Rectangle 3:

- 40°08'00" N. Lat. on the north
- 107°00'00" W. Long. on the east
- 39°56'00" N. Lat. on the south
- 107°15'00" W. Long. on the west

**WASHINGTON, DC AREA**

Rectangle:

- 38°40'00" N. Lat. on the north
- 78°50'00" W. Long. on the east
- 38°10'00" N. Lat. on the south
- 79°20'00" W. Long. on the west

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or

(b) Within a radius of 178 km of 38°48'00" N. Lat./76°52'00" W. Long.

(c) In addition, no application seeking authority for MVPD operations in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service will be accepted for filing if the proposed station is located within 20 km of the following coordinates:

Denver, CO area: 39°43'00" N. Lat./104°46'00" W. Long.

Washington, DC area: 38°48'00" N. Lat./76°52'00" W. Long.

*Note to § 74.32:* The coordinates cited in this section are specified in terms of the "North American Datum of 1983 (NAD 83)" with an accuracy of ±30 meters with respect to the "National Spatial Reference System".

[71 FR 69048, Nov. 29, 2006; 71 FR 75614, Dec. 15, 2006]

### § 74.34 Period of construction; certification of completion of construction.

(a) Each aural and television broadcast auxiliary station authorized under subparts E and F of this part must be in operation within 18 months from the initial date of grant.

(b) Each remote pickup broadcast auxiliary station authorized under subpart D of this part must be in operation within 12 months from the initial date of grant.

(c) Failure to timely begin operation means the authorization terminates automatically.

(d) Requests for extension of time may be granted upon a showing of good cause pursuant to § 1.946(e) of this chapter.

(e) Construction of any authorized facility or frequency must be completed by the date specified in the license and the Commission must be notified pursuant to § 1.946 of this chapter.

[68 FR 12763, Mar. 17, 2003]

### Subpart A—Experimental Broadcast Stations

#### § 74.101 Experimental broadcast station.

The term *experimental broadcast station* means a station licensed for experimental or developmental transmission

of radio telephony, television, facsimile, or other types of telecommunication services intended for reception and use by the general public.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32583, Aug. 15, 1984]

#### § 74.102 Uses of experimental broadcast stations.

A license for an experimental broadcast station will be issued for the purposes of carrying on research and experimentation for the development and advancement of new broadcast technology, equipment, systems or services which are more extensive or require other modes of transmission than can be accomplished by using a licensed broadcast station under an experimental authorization (see § 73.1510).

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32583, Aug. 15, 1984]

#### § 74.103 Frequency assignment.

(a) Frequencies allocated to broadcasting and the various categories of auxiliary stations, in the FCC's Table of Frequency Allocations (Part 2 of this chapter), may be assigned respectively to experimental broadcast and experimental auxiliary stations.

(b) More than one frequency may be assigned upon a satisfactory showing of the need therefor.

(c) Frequencies best suited to the purpose of the experimentation and on which there appears to be the least likelihood of interference to established stations shall be selected.

(d) In a case of important experimentation which cannot be feasibly conducted on frequencies allocated to broadcasting or the various categories of auxiliary stations, the FCC may authorize an experimental station of any class to operate on other frequencies upon a satisfactory showing of the need therefore and a showing that the proposed operation can be conducted without causing harmful interference to established services. However, experimental operation which looks toward the development of radio transmitting apparatus or the rendition of any type of regular service using such frequencies will not be authorized prior to