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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; 72 FR 35191, June 27, 2007; 72 FR 44423, Aug. 8, 2007]

EFFECTIVE DATE NOTE: At 72 FR 48859, Aug. 24, 2007, §90.20 was amended by revising the entries for “470 to 512” and “763 to 775; “806 to 817”; by removing the entry for “764 to 776”; and by adding entries for “763 to 775” and “793 to 805” in the frequency or band table in paragraph (c)(3) and by revising paragraph (d)(77), effective October 23, 2007. For the convenience of the user, the added and revised text is set forth as follows:

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* * * * *

(c) * * *

(3) *Frequencies.*

PUBLIC SAFETY POOL FREQUENCY TABLE

Frequency or band	Class of station(s)	Limitations	Coordinator
*	*	*	*
470 to 512	Base or mobile	68	
763 to 775	Base, mobile	77	PX
793 to 805	Mobile	77	PX
806 to 817do	69	
*	*	*	*

(d) * * *

(77) Subpart R of this part contains rules for assignment of channels in the 763–775 MHz and 793–805 MHz bands.

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§ 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 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

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Urbanized area	North latitude	West longitude
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 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 column 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