

1605–1705 kHz for the AM broadcast service to improve the technical integrity of the service and to remove conflicting regulations from the Commission's rules. Obsolete service rules and frequency references for parts 74 and 90 in this band are removed in order to prevent incompatible frequency authorizations. This decision followed the Commission's deletion of the land mobile allocation from the band 1605–1705 kHz in 1983, in which frequencies within this band were inadvertently left in parts 74 and 90 of the rules.

Specifically, the Commission removed the frequencies 1606 kHz, 1622 kHz, and 1646 kHz from § 74.402(a)(1); the frequency 1630 kHz from § 90.20(c)(3); the frequencies 1614 kHz, 1628 kHz, 1652 kHz, 1676 kHz, and 1700 kHz from § 90.35 (b)(3); and the band 1605–1705 kHz from § 90.263. Consistent with removing frequencies 1606 kHz, 1622 kHz, and 1646 kHz from § 74.402(a)(1), the Commission also eliminated all reference to those frequencies from §§ 74.402(a) and 74.402(e)(1) and section 74.462(b). Also, mobile travelers' information stations ("TIS") continue to be authorized throughout the AM Expanded Band as specified in part 90 and Federal government TIS stations operating on 1610 kHz have primary status.

8. With four Industrial/Business Pool and two non-Federal government radiolocation licensees operating in the AM Expanded Band, these licensees are permitted to continue operation on a non-interference basis to AM radio and TIS stations, until the end of their current license term with no provision for renewal. If an Industrial/Business Pool or radiolocation service operation is causing interference to either an AM radio or TIS station, they will have to immediately cease transmission. The Commission found that there is sufficient alternative spectrum to meet the needs of licensees affected by this change and the Commission's staff will work with those licensees to help them find suitable alternative channels if the licensee desires. Also, no application fee will be charged to licensees of affected stations that apply for a modification to obtain alternative channels before the end of their license term.

9. In order to protect the technical integrity of the AM Expanded Band, the Commission deleted from the U.S. Table the Federal government and non-Federal government secondary radiolocation allocation in the band 1605–1705 kHz. The Commission found that these radiolocation operations can be relocated to the band 1900–2000 kHz without significant impact to current

operations. Consistent with this decision, the Commission removed the band 1605–1705 kHz from the Radiolocation Service Frequency Table in § 90.103 of the rules and deleted unneeded assignment limitations. The Commission had conversations with NTIA concerning the Federal government's radiolocation assignments in the sub-band 1615–1705 kHz. NTIA agreed to relocate all Federal government stations currently operating in the AM Expanded Band within one year of the adoption date of this Report and Order (February 25, 2004). In response to this, the Commission is allowing the Federal government radiolocation stations to continue to operate during this one-year transition period on the condition that harmful interference is not caused to AM or TIS stations.

10. *Continued Use of Frequencies by Broadcast Auxiliary Remote Pickup Stations.* The Commission is allowing broadcast auxiliary stations to continue using the band 26100–26175 kHz because use of this band by such stations is significant and their secondary status will ensure that their operation will not hinder public coast stations. A review of the Commission's licensing database showed that there were currently no public coast stations making use of the four maritime frequencies (26110 kHz, 26130 kHz, 26150 kHz, and 26170 kHz). Therefore, remote pickup stations will not impact maritime mobile operations and will allow for greater use of the radio spectrum.

11. *Maritime Services.* The band 285–325 kHz is allocated for use in the United States to the maritime radionavigation service on a primary basis, limited to radiobeacons. These operations were authorized by NTIA through footnote G121 of its Manual, but this footnote was not previously coordinated with the Commission. Since this spectrum is Federal government/non-Federal government shared spectrum and both entities benefit from the use of differential global positioning system ("DGPS") systems, the Commission reclassified this footnote as a U.S. footnote.

12. The Commission adopted international footnote 5.131 domestically, authorizing NAVTEX systems to use the 4209.5 kHz frequency exclusively for the transmission by coast stations of meteorological and navigational warnings and urgent information to ships by means of narrow-band direct-printing techniques. Since there are no incumbent users operating in this frequency, the United States Coast Guard ("USCG") can

operate NAVTEX with unencumbered access as a means to improving maritime safety broadcast service to mariners. Also, at the request of NTIA, the Commission adopted international footnote 5.79A domestically so that the operating characteristics of established stations in the NAVTEX service can be coordinated by the Federal government with other administrations consistent with the procedures of the International Maritime Organization.

13. After the ITU reduced the guard band for the distress and calling frequency at 500 kHz from 20 kilohertz to 10 kilohertz, the Commission deleted the 500 kHz from its maritime rules as a distress and safety frequency, but kept this frequency available for Morse radiotelegraph functions. At WRC-03 Member States will consider whether non-Global Maritime Distress and Safety System ("GMDSS") requirements should be maintained in the ITU *Radio Regulations*, and until such time the Commission renumbered international footnote 472 as 5.83 in the U.S. Table. Also, until WRC-03 makes a decision, the Commission renumbered international footnotes 472a and 474 as 5.82 and 5.84, respectively, in the U.S. Table to reflect ITU changes.

14. Although, WARC-79 implementation transitioned the bands 4000–4063 kHz and 8100–8195 kHz to the maritime mobile service, these bands are equally or primarily used by the fixed service. Also, the ITU removed the resolution that facilitated the change of these bands to the maritime mobile service and its radio regulations maintain the fixed and maritime mobile service allocations in these bands on a co-primary basis. Therefore, the Commission removed US236 and reinstated the direct U.S. Table fixed service allocation for these bands on a primary basis to match the ITU table.

15. *Aeronautical Fixed Service.* In response to WRC-95, the Commission removed the limitation in footnote 459 on use of the 160–190 kHz band to aeronautical fixed use and allows all eligible fixed services to access this band. This brings our domestic rules in line with the ITU *Radio Regulations* and opens the band for utilization by other potential users. It is noted that the limitation only affects Region 2 polar areas and that Power Line Carrier ("PLC") uses will be coordinated with fixed use of the band; therefore, the Commission found that lifting the aeronautical limitation will not harm the nation's power network.

16. The Federal Aviation Administration ("FAA") indicated that they do not intend to implement an aircraft safety service in the band