

Location	Coordinates	Radius of operation (km)
Pacific Missile Test Range/Point Mugu, CA	34° 07' N 119° 30' W	80
Nellis AFB, NV	36° 14' N 115° 02' W	80
Hill AFB, UT	41° 07' N 111° 58' W	80
Patuxent River, MD	38° 17' N 076° 25' W	80
White Sands Missile Range, NM	33° 00' N 106° 30' W	80
Fort Irwin, CA	35° 16' N 116° 41' W	50
Fort Rucker, AL	31° 13' N 085° 49' W	50
Fort Bragg, NC	35° 09' N 079° 01' W	50
Fort Campbell, KY	36° 41' N 087° 28' W	50
Fort Lewis, WA	47° 05' N 122° 36' W	50
Fort Benning, GA	32° 22' N 084° 56' W	50
Fort Stewart, GA	31° 52' N 081° 37' W	50

(c) In the sub-band 1710–1720 MHz, precision guided munitions shall operate on a primary basis until inventory is exhausted or until December 31, 2008, whichever is earlier.

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Non-Federal Government (NG) Footnotes

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NG153 The band 2160–2165 MHz is reserved for future emerging technologies on a co-primary basis with the fixed and mobile services. Allocations to specific services will be made in future proceedings. Authorizations in the band 2160–2162 MHz for stations in the Multipoint Distribution Service applied for after January 16, 1992, shall be on a secondary basis to emerging technologies.

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NG176 The allocations to the fixed and mobile services in the band 1710–1755 MHz shall come into effect on January 1, 2004.

PART 21—DOMESTIC PUBLIC FIXED RADIO SERVICES

3. The authority citation for part 21 continues to read as follows:

Authority: Secs. 1, 2, 4, 201–205, 208, 215, 218, 303, 307, 313, 403, 404, 410, 602, 48 Stat. as amended, 1064, 1066, 1070–1073, 1076, 1077, 1080, 1082, 1083, 1087, 1094, 1098, 1102, 47 U.S.C. 151, 154, 201–205, 208, 215, 218, 303, 307, 313, 314, 403, 404, 602, 47 U.S.C. 552, 554.

§ 21.50 [Removed and reserved]

4. Remove and reserve § 21.50.

PART 101—FIXED MICROWAVE SERVICES

5. The authority citation for part 101 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

6. Section 101.69 is amended by revising paragraph (d) introductory text to read as follows:

§ 101.69 Transition of the 1850–1990 MHz, 2110–2150 MHz, and 2160–2200 MHz bands from the fixed microwave services to personal communications services and emerging technologies.

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(d) Relocation of FMS licensees in the 2110–2150 and 2160–2200 MHz bands will be subject to mandatory negotiations only. Mandatory negotiation periods are defined as follows:

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7. Section 101.73 is amended by revising the first and second sentences in paragraph (d) introductory text and the first and second sentences in paragraph (d)(3) to read as follows:

§ 101.73 Mandatory negotiations.

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(d) Provisions for Relocation of Fixed Microwave Licensees in the 2110–2150 and 2160–2200 MHz bands. Mandatory negotiations will commence when the ET licensee informs the fixed microwave licensee in writing of its desire to negotiate. * * *

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(3) *Operating Costs.* Operating costs are the cost to operate and maintain the FMS system. ET licensees would compensate FMS licensees for any increased recurring costs associated with the replacement facilities (e.g., additional rental payments, and increased utility fees) for five years after relocation. ET licensees could satisfy this obligation by making a lump-sum payment based on present value using current interest rates. * * *

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8. Section 101.75 is amended by revising paragraph (d) to read as follows:

§ 101.75 Involuntary relocation procedures.

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(d) *Twelve-month trial period.* If, within one year after the relocation to new facilities, the FMS licensee demonstrates that the new facilities are not comparable to the former facilities, the ET licensee must remedy the defects or pay to relocate the microwave licensee to one of the following: its former or equivalent 2 GHz channels, another comparable frequency band, a land-line system, or any other facility that satisfies the requirements specified in paragraph (b) of this section. This trial period commences on the date that the FMS licensee begins full operation of the replacement link. If the FMS licensee has retained its 2 GHz authorization during the trial period, it must return the license to the Commission at the end of the twelve months. FMS licensees relocated from the 2110–2150 and 2160–2200 MHz bands may not be returned to their former 2 GHz channels. All other remedies specified in paragraph (d) are available to FMS licensees relocated from the 2110–2150 MHz and 2160–2200 MHz bands, and may be invoked whenever the FMS licensee demonstrates that its replacement facility is not comparable, subject to no time limit.

9. Section 101.99 is amended by revising the section heading and paragraph (a) to read as follows:

§ 101.99 Reimbursement and relocation expenses in the 2110–2150 MHz and 2160–2200 MHz bands.

(a) Whenever an ET licensee (including Mobile-Satellite Service licensees) in the 2110–2150 or 2160–2200 MHz bands relocates an incumbent paired microwave link with one path in the 2110–2150 MHz band and the paired path in the 2160–2200 MHz band, the ET licensee is entitled to reimbursement of 50% of its relocation costs from any subsequently entering ET