

as a common carrier wireless licensee. The regulatory fee associated with FCC wireless application Form 601 is waived for applicants who are existing private operational fixed licensees seeking common carrier status, provided that such licensees have also complied with all other discontinuance requirements of Title II of the Act. Applicants are responsible for all other Commission regulatory fees.

14. Section 101.135 is amended by revising paragraph (a) to read as follows:

§ 101.135 Shared use of radio stations and the offering of private carrier service.

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(a) Persons or governmental entities licensed to operate radio systems pursuant to subpart H of this part on any of the private radio frequencies set out in § 101.101 may share such systems with, or provide private carrier service to, any eligible entity for licensing under this part, regardless of individual eligibility restrictions, provided that the communications being carried are permissible under § 101.603.

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15. Section 101.139 is amended by revising paragraphs (a) and (g) to read as follows:

§ 101.139 Authorization of transmitters.

(a) Unless specified otherwise, transmitters used in the private operational fixed and common carrier fixed point-to-point microwave and point-to-multipoint services under this part must be a type that has been verified for compliance.

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(g) After April 1, 2005, the manufacture (except for export) or importation of equipment for operation in the 21,200–23,600 MHz band must meet:

(1) The 0.001% frequency tolerance requirement for digital systems in § 101.107(a) or the 0.03–0.003% frequency tolerance for analog systems; and

(2) For equipment employing digital modulation techniques, the minimum bit rate requirements of § 101.141(a).

16. Section 101.141 is amended by revising paragraph (a) introductory text and revising paragraph (a)(1) to read as follows:

§ 101.141 Microwave modulation.

(a) Microwave transmitters employing digital modulation techniques and operating below 25.25 GHz (except for MVDDS stations in the 12,200–12,700 MHz band) must, with appropriate multiplex equipment, comply with the following additional requirements:

(1) The bit rate, in bits per second, must be equal to or greater than the bandwidth specified by the emission designator in Hertz (*e.g.*, to be acceptable, equipment transmitting at a 20 Mb/s rate must not require a bandwidth of greater than 20 MHz), except the bandwidth used to calculate the minimum rate may not include any authorized guard band.

(i) Stations authorized prior to December 1, 1988 may install equipment after that date with no minimum bit rate. Equipment applied for or authorized prior to April 1, 2005 in the 21.2–23.6 GHz band may be installed with no minimum bit rate.

(ii) However, any digital equipment applied for after April 1, 2005 and equipment replacing existing equipment in the 21.2–23.6 GHz band must meet the bit rate standard.

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17. Section 101.147 is amended by removing note 4 and adding note 12 to the frequency band of 2,450 to 2,500 in the table following paragraph (a), by revising notes (1), (12), (14), (26) to the table in paragraph (a), by adding a note to paragraph (b) introductory text, by revising the remote transmit of frequency 928.75675 of Table 3 in paragraph (b)(2), by removing and reserving paragraph (k) and by revising paragraphs (r) (10) introductory text and paragraph (s) to read as follows:

§ 101.147 Frequency assignments.

(a) * * *

* * * * *

2,450–2,500 MHz (12)

* * * * *

(1) Frequencies in this band are shared with control and repeater stations in the Public Mobile Services and with stations in the International Fixed Public Radio communication Services located south of 25°30' north latitude in the State of Florida and U. S. possessions in the Caribbean area. Additionally, the band 2160–2162 MHz is shared with stations in the Multipoint Distribution Service.

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(12) Frequencies in this band are available for assignment to the common carrier and private-operational fixed point-to-point microwave services.

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(14) Frequencies in this band are shared with stations in the fixed-satellite service.

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(26) Frequencies from 21.8–22.0 GHz and 23.0–23.2 GHz may be authorized for low power, limited coverage systems

subject to the provisions of paragraph (s)(8) of this section.

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(b) * * *

Note to paragraph (b) introductory text: Paragraphs (b)(1) through (b)(5) and Tables 1 through 7 of this section pertain to Multiple Address System (MAS) frequencies and paragraph (b)(6) and Tables 8 through 11 of this section pertain to Point-To-Point frequencies.

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(2) * * *

TABLE 3.—PAIRED FREQUENCIES (MHz)

[12.5 kHz bandwidth]

Remote transmit	Master transmit
928.75625	952.75625

* * * * *

(k) [Reserved]

* * * * *

(r) * * *

(10) Special provision for low power systems in the 17–700–19700 MHz band: Notwithstanding other provisions in this rule part, and except for specified areas around Washington, DC, and Denver, Colorado, licensees of point-to-multipoint channel pairs 25–29 identified in paragraph (r)(9) of this section may operate multiple low power transmitting devices within a defined service area. New operations are prohibited within 55 km when used outdoor and within 20 km when used indoor of the coordinates 38°48' N/76°52' W and 39°43' N/104°46' W. The service area will be a 28 kilometer omnidirectional radius originating from specified center reference coordinates. The specified center coordinates must be no closer than 56 kilometers from any co-channel nodal station or the specified center coordinates of another co-channel system. Applicants/licensees do not need to specify the location of each individual transmitting device operating within their defined service areas. Such operations are available to private and common carriers and are subject to the following requirements for the low power transmitting devices:

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(s) 21,200 to 23,600 MHz: 50 MHz authorized bandwidth.

Transmit (receive) (MHz)	Receive (transmit) (MHz)
(1) 2.5 MHz bandwidth channels:	
21601.25	22801.25
21603.75	22803.75