

24 MHz
Auction (#56) Seminar

Overview of Service Rules:
**Legal and Technical
Issues**

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Disclaimer

- ◆ Nothing herein is intended to supersede any provision of the Commission's rules or public notices. These slides should not be used as a substitute for a prospective applicant's review of the Commission's relevant orders, rules, and public notices. Prospective applicants must familiarize themselves thoroughly and remain current with the Commission's rules relating to the 24 GHz Service, rules relating to application and auction procedures, and the procedures, terms and conditions contained in the Auction No. 56 public notices.

Introduction

- ◆ Background of Proceeding
 - ◆ Service rules
 - ◆ Technical issues
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Background of Proceeding

- ◆ WT Docket 99-327: Amendments to Parts 1, 2, 87, and 101 of the Commission's Rules to License Fixed Services at 24 GHz
 - *24 GHz Report and Order*, FCC 00-272, rel. Aug. 1, 2000; 15 FCC Rcd 16934 -- adopted service rules, including licensing and technical rules
 - *24 GHz Order on Reconsideration*, FCC 01-151, rel. May 17, 2001; 16 FCC Rcd 11156 -- affirmed *Report and Order*
- ◆ Available at FCC web site through "EDOCS"
 - Visit "<http://www.fcc.gov/searchtools.html>" and select EDOCS

Service Rules

- ◆ Eligibility
 - ◆ Permissible licensed services
 - ◆ Band plan
 - ◆ Geographic area licenses
 - ◆ Licensing rules / Part 101
- 

Eligibility

- ◆ Open eligibility

Permissible Licensed Services

- ◆ Fixed terrestrial non-broadcast
- ◆ Digital service
- ◆ Point-to-point, point-to-multipoint terrestrial (see §101.511), subject to the technical rules

Band Plan

- ◆ Five 80-megahertz blocks, with each block consisting of a pair of 40-megahertz segments (101.147(r)(9)).
- ◆ Channel No. 35 ---- 24,250-24,290 25,050-25,090 MHz
- ◆ Channel No. 36 ---- 24,290-24,330 25,090-25,130 MHz
- ◆ Channel No. 37 ---- 24,330-24,370 25,130-25,170 MHz
- ◆ Channel No. 38 ---- 24,370-24,410 25,170-25,210 MHz
- ◆ Channel No. 39 ---- 24,410-24,450 25,210-25,250 MHz
- ◆ Either the upper or lower side can be used for the nodal station or the subscriber station in any amount except near inter'l borders.

Geographic Area Licenses

- ◆ Five 40-megahertz channel pairs will be assigned over 176 Economic Area (EAs), (§ 101.523(a))
- ◆ 172 service areas specified by the Department of Commerce
- ◆ 4 EA-like areas:
 - Guam and the Northern Mariana Islands
 - Puerto Rico and the United Virgin Islands
 - American Samoa
 - Gulf of Mexico

Geographic Area Licenses cont.

- ◆ Excluded -- channels licensed by incumbent in Standard Metropolitan Statistical Area (SMSA) within an EA (§ 101.523(b)).
- ◆ Incumbent SMSA licensees retain the exclusive right to those channels within the SMSA (§ 101.523(b)).
- ◆ If incumbent loses authorization reverts to EA holder (§ 101.527(d)).

Licensing Rules

- ◆ Part 101
 - ◆ License term and renewal expectancy
 - ◆ Build-out requirements
 - ◆ Partitioning / Disaggregation
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- A decorative graphic of a teal mountain range is located in the bottom right corner of the slide.

Part 101

- ◆ Part 101 generally applies to band
- ◆ Flexible licensing approach

License Term and Renewal

- ◆ Licenses expire 10 years from the date of license grant or license renewal for incumbent (§ 101.526)
- ◆ Right of renewal expectancy established for licensees that satisfy the performance/build-out requirements (§ 101.529)

Build-out Requirements

- ◆ No specific benchmarks to afford flexibility.
- ◆ “Substantial service” must be provided to service area within 10 years of the license grant (§ 101.527).
- ◆ Case-by-case determination.

Build-out Requirements cont.

- ◆ Safe harbors
 - ◆ 4 links per million pop. within a service area.
 - ◆ Service to an area that very limited access to either wireless or wireline telecommunications services
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Partitioning and Disaggregation

- ◆ Partitioning (dividing geographic areas) and disaggregation (dividing spectrum) are permitted (see § 101.535).
- ◆ Two options for build-out.

Partitioning and Disaggregation cont.

- ◆ **First option: parties certify that they will each separately satisfy the substantial service requirement for their portion of the service area.**
 - ◆ **Second option: original licensee or partitioner certifies that it has met or will meet the substantial service requirement for the entire service area during the license term.**
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Technical Rules

- ◆ Intern'l treaty agreements
 - ◆ Power limits
 - ◆ Emission limits
 - ◆ Signal strength limits
 - ◆ Incumbent protection
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Service Rules

THE END

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Any Questions?

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