



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES ULS UPGRADE

LICENSEES OF TELEVISION PICK-UP STATIONS NOW HAVE THE OPTION TO IDENTIFY THEIR STATIONARY, RECEIVE-ONLY SITES ON ULS TO AID COORDINATION WITH OTHER SERVICES

(RM-11308)

By this Public Notice, the Wireless Telecommunications Bureau (Bureau or WTB) announces that mobile Broadcast Auxiliary Service (BAS) TV pickup (TP) licensees now have the option to identify their stationary, receive-only sites (RO sites) on the Universal Licensing System (ULS). In response to a petition filed by the Society of Broadcast Engineers (SBE) and supported by several broadcasters, the Bureau takes this action to facilitate coordination with TP operations above 2 GHz by licensees that must protect or coordinate with such operations.

Background. The 2025-2110 MHz and the 2450-2483.5 MHz bands are currently used by BAS for, among other things, mobile TV pickup (TVPU) operations, including electronic newsgathering (ENG) operations, *i.e.*, transmission of TV program material and related communications from scenes of events back to the TV station or studio.¹ Other services in the 2 GHz band that must protect and/or coordinate with BAS include Advanced Wireless Services (AWS),² Mobile Satellite Service Ancillary Terrestrial Components (MSS ATC)³, and certain U.S. Department of Defense (DoD) Earth station sites.⁴

¹ See 47 C.F.R. § 74.601(a) (listing classes of TV broadcast auxiliary stations). BAS in the 2 GHz band is also used for fixed operations such as studio-transmitter link (STL) stations, TV relay stations, and TV translator relay stations but the majority of these fixed operations are in higher frequency bands allocated to the BAS. Cable Television Relay Service (CARS) stations, which are licensed by the FCC's Media Bureau, are not within the scope of this public notice.

² See 47 C.F.R. § 27.1133 (Protection of Part 74 and Part 78 operations). See also Service Rules for Advanced Wireless Services in the 1.7 GHz and 2.1 GHz Bands, WT Docket No. 02-353, *Report and Order*, 18 FCC Rcd 25,162, 25,211-25,212 ¶¶ 129-130 (2003).

³ See 47 C.F.R. § 25.254(a)(3).

⁴ DOD uplink Earth stations at 11 sites have primary access to the 2025-2110 MHz band to support military space operations (also known as tracking, telemetry, and commanding) on a co-equal basis with stations in the incumbent Television BAS, CARS, and LTTS. See 47 C.F.R. § 2.106, Federal Table for 2025-2110 MHz and US Note 346. However, each DOD Earth station must coordinate with, among other stations, all potentially affected BAS stations—including fixed RO antennas used in conjunction with BAS TVPU ENG operations—prior to Earth station authorization. DOD is also permitted to operate stations in the fixed and mobile except aeronautical mobile services in the 2025-2110 MHz band on a secondary basis at six sites in the southwestern region of the United States. See *id.*, at US Note 393. See also Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, Including Third Generation Wireless Systems; ET Docket No. 00-258, *Seventh Report and Order*, 19 FCC Rcd 21350, 21363-21369 ¶¶ 27-36 (2004); *Fourth Memorandum Opinion and Order*, 21 FCC Rcd 4441, 4451-52 ¶ 22 (2006).

SBE Petition. SBE states that ULS does not provide TP licensees with the ability to identify the locations and heights of their ENG-RO sites.⁵ SBE and several broadcasters have requested the capability to provide this data in ULS, on an elective basis, to facilitate the coordination processes described above for the 2 GHz band.⁶ CTIA, The Wireless Association, and Sprint Nextel Corp., opposed the SBE Petition, arguing that the Commission’s rules do not require coordination with receive-only stations.⁷ Sprint Nextel subsequently stated that “to the extent that entry of receive sites into the ULS database does not impose additional interference-resolution obligations on Sprint Nextel or other licensees, Sprint Nextel no longer opposes inclusion of BAS receive-site data in the ULS database.”⁸

The Bureau finds that it would be beneficial to the 2 GHz band coordination process to allow TP licensees to add location and height data for ENG-RO sites on ULS. As such, WTB has upgraded ULS so that TP licensees may now identify RO sites on ULS by filing applications to modify their licenses. We note that upgrading ULS to accept RO-site data does not modify the Commission’s rules or otherwise impose additional interference-resolution obligations on Sprint Nextel or other licensees authorized to operate in the 2 GHz band.

Under the Commission’s Rules, AWS licensees in the 2110-2155 MHz band must protect previously licensed BAS operations in the adjacent 2025-2110 MHz band.⁹ In satisfying this requirement, AWS licensees must, before constructing and operating any base or fixed station, determine the location and licensee of all BAS (or CARS) stations authorized in their area of operation and coordinate their planned stations with those licensees.¹⁰ Applicants for an Ancillary Terrestrial Components (ATC) of Mobile Satellite Services (MSS) must demonstrate, at the time of application, that they have taken, or will take, steps necessary to avoid causing interference from base stations to other services sharing the use of the 2450–2500 MHz band, through frequency coordination.¹¹ If ancillary MSS ATC operations cause harmful interference to other services, the MSS ATC operator must resolve such

⁵ See Modification of the Universal Licensing System to Allow TV Pickup Stations and Remote Pickup Stations to Document the Location and Heights of Their Receive-Only Sites, RM-11308, Petition for Rulemaking filed by the Society of Broadcast Engineers, Inc., on Sept. 6, 2005 (SBE Petition). SBE currently has a separate request pending before the Commission to relocate and convert BAS Channels A8-A10 from the current three analog channels at 2450-2500 MHz to three digital channels at 2450-2486 MHz. See Society of Broadcast Engineers, Inc. Petition for Reconsideration, IB Docket No. 02-364 (filed May 22, 2006) (2006 Petition). The instant public notice is not intended to prejudice or otherwise affect the outcome of the Commission’s consideration of SBE’s 2006 Petition.

⁶ *Id.* Comments supporting the SBE Petition were filed by the National Association of Broadcasters, CBS, Tribune Co., Walt Disney Co., and Cox Broadcasting, Inc.

⁷ See Sprint Nextel Comments at 2 (“SBE proposes to incorporate receiver information into a Commission-operated database, and seems to envision some sort of coordination requirement between BAS operations and a host of new wireless services); CTIA *Ex Parte* at 2 (filed March 15, 2006).

⁸ Sprint Nextel *Ex Parte* (filed on October 31, 2007).

⁹ See 47 C.F.R. § 27.1133 (Protection of Part 74 and Part 78 operations).

¹⁰ *Id.* See also Service Rules for Advanced Wireless Services in the 1.7 GHz and 2.1 GHz Bands, WT Docket No. 02-353, *Report and Order*, 18 FCC Rcd 25,162, 25,211-25,212 ¶¶ 129-130 (2003) (base or fixed stations operating in the 2110-2155 MHz band, if situated too close to BAS/CARS receive stations, could cause interference to such stations unless the particular stations are situated far enough from one another; also, the technical parameters of the stations, e.g., the orientation of directional antennas, the filters in transmitters and receivers, can be adjusted to minimize interference).

¹¹ See 47 C.F.R. § 25.254(a)(3) (Special requirements for ancillary terrestrial components operating in the 1610–1626.5 MHz/2483.5–2500 MHz bands). See also Spectrum and Service Rules for Ancillary Terrestrial Components in the 1.6/2.4 GHz Big LEO Bands, IB Docket No. 07-253, *Report and Order and Order Proposing Modification*, FCC 08-98 (rel. April 10, 2008) (amending Section 25.254 of the Commission’s rules but otherwise leaving the text of Section 25.254(a)(3) intact).

interference.¹² If the MSS ATC operator claims to have resolved the interference and other operators claim that interference has not been resolved, then the parties to the dispute may petition the Commission for a resolution of their claims.¹³

Identifying TP receive-only sites on ULS. BAS licensees that wish to identify their RO sites on ULS may do so by filing an application on FCC Form 601(Main Form and Schedule I) to modify an existing authorization in the TP radio service.¹⁴ A separate modification application is necessary for each TP license, and RO data filed on ULS will not expand a BAS operator’s right to protection or coordination under the Commission’s Rules. As stated by SBE, the data that BAS operators elect to provide on ULS will merely help facilitate the coordination process.¹⁵ In this regard, each modified TP license issued under this procedure will include the following special condition:

Grant of an application to identify RO sites in this authorization merely records receive-site data that the licensee filed voluntarily, to facilitate coordination, without determining the accuracy of this data or the licensee’s right to coordination or interference protection for these facilities. *See e.g.*, 47 C.F.R. § 2.106, Federal Table for 2025-2110 MHz and US Note 346, and 47 C.F.R. §§ 25.254, 25.255, and 27.1133. Additionally, this grant does not modify the licensee's authorization to operate a TV Pickup Transmitter(s) under call sign_____ and such grant date is irrelevant in determining whether the BAS operation is “previously licensed” for purposes of 47 C.F.R. § 27.1133 and similar interference-protection rules.

RPU receive-only sites. In addition to TVPU operations, SBE also requested a similar capability to identify RO sites for Remote Pick-up Units (RPU) in the 450 MHz band. The Bureau declines to add this capability because, unlike the 2 GHz band, BAS operations in the 450 MHz band are not subject to new services (*e.g.*, AWS, MSS ATC and certain DoD operations¹⁶), and therefore there are no inter-service coordination processes that would benefit from this added capability. Moreover, separate ULS upgrades, involving the expenditure of additional time and resources, would be required to accept RO data for RPUs. Accordingly, at this juncture, the Bureau has only upgraded ULS to receive RO data for TVPU operations.

Procedural matters. In view of the foregoing, the Petition for Rulemaking filed by the Society of Broadcast Engineers, Inc. on September 6, 2006, is GRANTED to the extent indicated above and otherwise DENIED, pursuant to Section 1.401(e) of the Commission’s Rules, 47 C.F.R. § 1.401(e). This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission’s Rules, 47 C.F.R. §§ 0.131, and 0.331.

Further Information. For additional ULS information or assistance, go to <http://esupport.fcc.gov>. You may also call the FCC Support Center at (877) 480-3201 (TTY (717) 338-2824) and Select Option #2, Forms or Licensing Assistance. Hours are from 8:00 a.m. to 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

By the Acting Chief, Broadband Division, Wireless Telecommunications Bureau.

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¹² *See* 47 C.F.R. § 25.255 (Procedures for resolving harmful interference related to operation of ancillary terrestrial components operating in the 1.5/1.6 GHz, 1.6/2.4 GHz and 2 GHz bands).

¹³ *Id.*

¹⁴ Forms must be accompanied by the appropriate fee for a station modification. *See* WTB Fee Filing Guide. http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-276291A1.pdf.

¹⁵ *See, e.g.*, Comments of SBE filed Feb. 17, 2006 at 2 (noting that its Petition does not propose any minimum separation distance to be afforded to an ENG-RO site by other stations and that the goal is “simply to allow any interested party to be able to quickly and accurately determine if there is a nearby ENG-RO site . . . that they may want to take into consideration.”).

¹⁶ *See supra* notes 2-4 and accompanying text.