



PUBLIC NOTICE

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LICENSEES, FREQUENCY COORDINATORS, AND EQUIPMENT MANUFACTURERS REMINDED OF NARROWBAND MIGRATION DEADLINES IN THE 150-174 MHz AND 421- 512 MHz BANDS

This *Public Notice* reminds interested parties of the Commission's deadlines for private land mobile radio services in the 150-174 MHz and 421-512 MHz bands to migrate to narrowband (12.5 kHz or narrower) technology.¹ The Commission directed that a *Public Notice* be issued by December 31, 2009 reminding licensees and frequency coordinators of the approaching deadlines.² This *Public Notice* also provides additional information regarding the transition to narrowbanding technology.

Key Deadlines

Licensees and frequency coordinators should be aware of the following deadlines:

(1) beginning **January 1, 2011**,³ the Commission will no longer accept applications for

-new wideband 25 kHz (*i.e.*, operating with only one voice path per 25 kHz of spectrum) operations, and

-modification of existing wideband 25 kHz stations that expands the authorized interference contour (19 dBu VHF, 21 dBu UHF); and

(2) by **January 1, 2013**, Industrial/Business and Public Safety Radio Pool licensees must

- operate on 12.5 kHz (11.25 kHz occupied bandwidth) or narrower channels, or

¹ See Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended; Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies, *Second Report and Order and Second Further Notice of Proposed Rulemaking*, WT Docket No. 99-87, RM-9332, 18 FCC Rcd 3034 (2003); Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended; Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies, *Third Memorandum Opinion and Order, Third Further Notice of Proposed Rule Making and Order*, WT Docket No. 99-87, RM-9332, 19 FCC Rcd 25045 (2004) (*Narrowbanding Third Memorandum Opinion and Order*); see also 47 C.F.R. §§ 90.203(j), 90.209(b).

² See *Narrowbanding Third Memorandum Opinion and Order*, 19 FCC Rcd at 25057 ¶ 26.

³ A petition seeking a stay of the January 1, 2011 deadlines, filed by the National Public Safety Telecommunications Council (NPSTC) on September 29, 2009, is pending. See Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Seek Comment on National Public Safety Telecommunications Council Petition for Stay of Interim Narrowband Implementation Dates, *Public Notice*, WT Docket No. 99-87, DA 09-2364 (WTB/PSHSB rel. Nov. 2, 2009).

- employ a technology that achieves the narrowband equivalent of one channel per 12.5 kHz of channel bandwidth (voice) or 4800 bits per second per 6.25 kHz (data).

Equipment manufacturers should be aware that, beginning **January 1, 2011**, the manufacture, importation, or certification of any 150-174 MHz or 421-512 MHz band equipment capable of operating with only one voice path per 25 kHz of spectrum will be prohibited; and applications for equipment certification must specify 6.25 kHz capability.⁴

Additional Information

How should licensees notify the Commission that they are in compliance with the January 1, 2013 deadline to migrate to narrowband or narrowband-equivalent technology?

The answer to this question depends on how and when the station came into compliance.

Licensees of stations that already satisfy the narrowbanding requirements because their authorized bandwidth does not exceed 12.5 kHz do not need to take any action to notify the Commission that the station has met the narrowbanding deadline.

Licensees of stations that currently are authorized to operate with a bandwidth exceeding 12.5 kHz that are transitioning to 12.5 kHz or narrower operation must file a modification application to either add a narrowband emission designator or change the wideband emission designator to a narrowband emission designator.⁵ The licensee will not need to take any additional action to notify the Commission that the station has met the narrowbanding deadline. Adding or changing an emission designator for an existing frequency does not trigger a new construction requirement, so the licensee will not need to file a new construction notification.

Note: Many stations are or will be authorized to operate on their assigned frequencies with multiple authorized bandwidths, including both wideband 25 kHz emissions and 12.5 kHz or narrower emissions. It is not necessary for licensees of such stations to delete the wideband 25 kHz emission designator in order to demonstrate compliance with the January 1, 2013 deadline. Instead, absent information to the contrary, stations that were authorized to operate with both wideband and narrowband emissions prior to January 1, 2013 will initially be presumed to be operating only with narrowband emissions (i.e., that the wideband mode has been disabled) after January 1, 2013. (All equipment certified since 1997 has been required to have a 12.5 kHz operational mode. Licensees should check with their radio equipment vendor to determine how to ensure that the equipment is operating in the 12.5 kHz mode.) The Commission also will have discretion to inquire of licensees to verify that they are operating in compliance with the Commission's rules.

Licensees of stations that currently are authorized to operate with a bandwidth exceeding 12.5 kHz that have complied or will comply with the narrowbanding deadline by adopting narrowband-equivalent equipment will be required to certify compliance with the deadline. This is necessary because

⁴ These 2011 deadlines applicable to manufacturers also are subject of the NPSTC petition for stay. The 6.25 kHz requirement does not apply to hand-held transmitters with an output power of two watts or less. See 47 C.F.R. § 90.203(j)(4).

⁵ Currently, the Commission's rules require frequency coordination for a modification application that proposes to reduce the authorized bandwidth on the licensed center frequencies, see 47 C.F.R. § 90.175, but the Commission has sought comment on exempting such applications from this requirement. See Amendment of Part 90 of the Commission's Rules, *Notice of Proposed Rulemaking and Order*, WP Docket No. 07-100, 22 FCC Rcd 9595, 9596-97 ¶ 3 (2007).

it will not always be apparent from the license's technical parameters whether a 25 kHz station is a non-compliant wideband station or a compliant narrowband-equivalent station. We plan to implement this certification requirement by revising a future version of the relevant application form for new, renewed, and modified station licenses to require licensees subject to the narrowbanding mandate to indicate whether or not the requested operations comply with the narrowbanding requirements. The Commission also will have discretion to inquire of licensees regarding existing licenses for which no such certification is received because the license was not renewed or modified before January 1, 2013.

Will the Commission take any other action to remind licensees of the upcoming narrowbanding deadlines?

Yes. In addition to this *Public Notice* and the measures discussed above, the Commission will in the near future begin placing a special condition on all new, renewed, and modified licenses for stations in the radio services and frequencies subject to the narrowbanding mandate to remind licensees of the January 1, 2013 deadline. The special condition will be removed from the license at some point after the licensee notifies the Commission that the station is in compliance with the narrowbanding deadline, as discussed above.

May a station that does not meet the January 1, 2013 narrowbanding deadline operate after that date on a secondary basis?

No. As of January 1, 2013, the Commission's rules will prohibit Industrial/Business and Public Safety Radio Pool licensees in the 150-174 MHz and 421-512 MHz bands from operating with wideband channels (unless their equipment meets the narrowband efficiency standard), even if the license still lists a wideband emission designator. Operation in violation of the Commission's rules may subject licensees to enforcement action, including admonishments, monetary forfeitures, and/or license revocation, as appropriate.

Can previously certified multimode equipment be manufactured or imported after January 1, 2011?

Yes, under certain circumstances. The equipment certification for previously certified multimode equipment containing a wideband 25 kHz mode will continue to be valid, and such equipment may continue to be manufactured and imported, only if the modes of operation are enabled primarily through software rather than firmware or hardware, and users are not provided with the programming software necessary to activate the wideband 25 kHz mode.

For further information, licensees and frequency coordinators may contact Mr. Melvin Spann of the Wireless Telecommunications Bureau, Mobility Division, (202) 418-1333, Melvin.Spann@fcc.gov, or Mr. Zenji Nakazawa of the Public Safety and Homeland Security Bureau, Policy Division, (202) 418-7949, Zenji.Nakazawa@fcc.gov; and equipment manufacturers may contact Mr. Andy Leimer of the Office of Engineering and Technology, (301) 362-3049, Andrew.Leimer@fcc.gov.

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