



Federal Communications Commission  
Washington, D.C. 20554

July 14, 2005

## Small Entity Compliance Guide

### **Airport Terminal Use Frequencies in the 450-470 MHz Band of the Private Land Mobile Radio Services**

**DA 05-2001**

**WT Docket No. 02-318**

**This Guide is prepared in accordance with the requirements of Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—to comply with the new rule/s adopted in the above-referenced FCC rulemaking docket/s. This Guide is not intended to replace the rule/s and, therefore, final authority rests solely with the rule/s. Although we have attempted to cover all parts of the rule/s that might be especially important to small entities, the coverage may not be exhaustive. As a result, in any civil or administrative action against a small entity for a violation of a rule or rules, the content of the Small Entity Compliance Guide may be considered only as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. This Guide may not apply in a particular situation based upon the circumstances, and the FCC retains the discretion to adopt approaches on a case-by-case basis that may differ from this Guide, where appropriate. Any decisions regarding a particular small entity will be based on the statute and regulations. Interested parties are free to file comments regarding this Guide and the appropriateness of its application to a particular situation; the FCC will consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The FCC may decide to revise this Guide without public notice to reflect changes in the FCC's approach to implementing a rule, or to clarify or update the text of the Guide. Direct your comments and recommendations, or calls for further assistance, to the FCC's Consumer Center:**

**1-888-CALL-FCC (1-888-225-5322)**

**TTY: 1-888-TELL-FCC (1-888-835-5322)**

**Fax: 202-418-0232**

**[fccinfo@fcc.gov](mailto:fccinfo@fcc.gov)**

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[http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-05-16A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-05-16A1.doc)

[http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-05-16A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-05-16A1.pdf)

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## Compliance Requirements

### Immediate Compliance Requirements

- As this rulemaking generally relaxes rules that were previously in effect, there are no actions that small business are required to take for immediate compliance. All existing licensees operating on Airport Terminal Use (ATU) frequencies before this rulemaking takes effect are grandfathered until such time that they voluntarily modify their licenses. You will find the rule at 47 C.F.R. § 90.35.

### Requirements for Voluntarily License Modifications and New Applications

- Any existing licensees on ATU frequencies who may wish to take advantage of the new power limits will be required to file a modification application. A fee is charged for processing of such applications.
- On ATU frequencies, power levels on new applications and modification applications must be expressed in terms of effective radiated power (ERP). We require ERP terminology for all power level conversions or modifications.
- ERP is defined in decibel units as the transmitter output power plus antenna gain minus any loss factors. As an example of a loss factor, a cable connecting an amplifier output to an antenna may have a small amount of resistance that weakens the signal being transmitted.
- Applications for new stations must be processed through an FCC-certified frequency coordinator. Similarly, applications for power level modifications of existing licenses must be processed through an FCC-certified frequency coordinator. For existing licenses, this is the same frequency coordinator who coordinated the initial application in most cases. Frequency coordinators charge fees for their services.
- Application fees and requirements for frequency coordination are waived for licensees who simply seek to modify their authorizations to reflect new ATU station class codes. However, the filing of a modification application is still required for this purpose.

### Payment of Fees for Voluntarily License Modifications and New Applications

As described above, frequency coordinators charge fees for their services. Frequency coordinator fees vary by coordinator, and they may depend on the method of filing (electronic vs. paper), membership with the association that performs frequency coordination, and type of authorization (shared vs. exclusive use of a frequency pair). Other services, such as frequency searches and interference studies, add varying amounts to the costs, depending on which coordinator the applicant chooses.

The FCC charges a fee for processing applications, with the exception of modification to reflect new ATU station class codes. The FCC applications fees for ATU frequencies are as follows: \$105 for a new call sign and \$55 to modify an existing call sign.

Further information is available online at <http://wireless.fcc.gov/feesforms/>.