



Federal Communications Commission  
Washington, D.C. 20554

August 9, 2006

## Small Entity Compliance Guide

Allocation of Frequency Band 2025-2110 MHz for  
Co-Equal, Co-Primary Federal DOD Earth Stations

DA 06-1611

ET Docket No. 00-258 and WT Docket No. 02-8; FCC 06-43

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 or rules adopted in the above-referenced docket(s). This Guide is not intended to replace the rule, and, therefore, final authority rests solely with the rule. Although we have attempted to cover all parts of the rule 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, 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 perhaps 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)

### **Background.**

The *Fourth Memorandum Opinion and Order* in ET Docket No. 00-258 and WT Docket No. 02-8 denies petitions for reconsideration of the *Seventh Report and Order* in ET Docket No. 00-258 and WT Docket No. 02-8, filed by the Association for Maximum Service Television and National Association of Broadcasters and by the Society of Broadcast Engineers, Inc., and affirms the Commission's decision in the *Seventh Report and Order* that the Broadcast Auxiliary Service and other incumbent services will share the 2025-2110 MHz band with relocated Department of Defense facilities. Neither the *Seventh Report and Order* nor the *Fourth Memorandum Opinion and Order* adds new services or regulatory requirements for compliance. However, existing services affected by the allocations made in the *Seventh Report and Order* remain subject to their respective existing service rules, as outlined below.

### **Compliance Requirements.**

Eleven (11) Department of Defense (DOD) Tracking, Telemetry, and Commanding (TT&C) uplink earth stations are now permitted to relocate into the frequency band 2025-2110 MHz to operate on a co-equal, co-primary basis with existing Broadcast Auxiliary, Cable Television, and Local Television Transmission Service (BAS, CARS, LTTS) operations. The timeframe for relocation is not expected to start immediately and may extend over many years.

In the existing BAS/CARS/LTTS band, stations should be aware that each DOD TT&C earth station must, prior to authorization, successfully coordinate with all BAS/CARS/LTTS stations that may be affected by its operation, engaging local frequency coordinators where available. The earth station must demonstrate protection not only to fixed point-to-point facilities but also to fixed receive-only antennas used in conjunction with mobile TV Pick-Up (TVPU) Electronic News Gathering (ENG) operations. Prospective new BAS, CARS, and LTTS stations will be subject to their existing service rules under Parts 74, 78, and 101, respectively, of the Commission's Rules; may continue to coordinate using their existing coordination procedures in Sections 74.638, 78.36, and 101.103, respectively, of the Commission's Rules; and should be aware that each DOD TT&C earth station must maintain a point of contact for coordination of new BAS, CARS, and LTTS stations. This point of contact would also be available for the coordination of on-going mobile TVPU ENG operations, should such a requirement be determined by DOD in concert with the local BAS coordinator(s) and licensees.

### **Internet Link**

Fourth Memorandum Opinion and Order, FCC 06-43, *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; Amendments to Parts 1, 2, 27 and 90 of the Commission's Rules to License Services in the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands*, 21 FCC Rcd 4441 (2006).

[http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-06-43A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-06-43A1.doc)