



Federal Communications Commission
Washington, D.C. 20554

August 5, 2015

DA 15-887

Small Entity Compliance Guide

WRC-07 Implementation

Report and Order
FCC 15-50
ET Docket No. 12-338
Released: April 27, 2015

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—comply with the new rules adopted in the above-referenced FCC rulemaking docket(s). This Guide is not intended to replace the rules and, therefore, final authority rests solely with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small entities, the coverage may not be exhaustive. 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.

In any civil or administrative action against a small entity for a violation of rules, the content of the Small Entity Compliance Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. 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: 1-866-418-0232**

Compliance Requirements for WRC-07 Implementation

1. Objectives of the Proceeding

The Commission adopted the *Report and Order* in ET Docket No. 12-338 (*WRC-07 R&O*) on April 23, 2015 implementing various allocation decisions from the Final Acts of the World Radiocommunication Conference (Geneva, 2007) (WRC-07) in the Commission's Table of Frequency Allocations, revising certain other allocations in the Table, and updating certain related service rules.¹ The decisions adopted in the *WRC-07 R&O* conform the Commission's rules, to the extent practical, to the decisions that the international community made at WRC-07, and will promote the advancement of new and expanded services and provide significant benefits to the American public.

2. General Information

The *WRC-07 R&O* did not establish any new reporting or recordkeeping requirements for small entities; however, it established technical and operational compliance requirements that are the same for small and large entities. Licensees are required to use equipment and operate their stations in a manner that complies with the Commission's rules. Equipment manufactured, imported, or marketed for use in the United States must comply with the Commission's rules.

3. What are the new compliance requirements?

- Aeronautical telemetry stations in the 1435-1452 MHz band are encouraged to take all reasonable steps to ensure that the unwanted emissions power level of the stations does not exceed -28 dBW/27 MHz in the 1400-1427 MHz band. Aeronautical telemetry stations that do not meet this limit shall first attempt to operate in the 1452-1525 MHz band prior to operating in the 1435-1452 MHz band.
- The carrier frequency tolerance of all transmitters that operate in the 1435-1525 MHz or 2345-2395 MHz band is 0.002 percent. The carrier frequency tolerance of all transmitters that operate in the 5091-5150 MHz band is 0.005 percent.
- Aeronautical telemetry stations in the 5091-5150 MHz band and telemetry and telecommand operations in the 2345-2395 MHz band must conform with the Commission's existing emissions limitation requirements. See 47 C.F.R. § 87.139(a), (d)-(f). The Commission's Rules (47 Code of Federal Regulations (47 C.F.R.)) are available at http://wireless.fcc.gov/index.htm?job=rules_and_regulations.

¹ Amendment of Parts 1, 2, 15, 25, 27, 74, 78, 80, 87, 90, 97, and 101 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2007) (WRC-07), Other Allocation Issues, and Related Rule Updates, ET Docket No. 12-338, *Report and Order, Order, and Notice of Proposed Rulemaking*, 30 FCC Rcd 4183 (2015).

- Applications for a new station license in the 1435-1525 MHz, 2345-2360 MHz (only until January 1, 2020), 2360-2395 MHz, and 5091-5150 MHz bands, or renewal or modification of an existing license concerning flight test frequencies, except as provided in paragraph (b) of Section 87.305, must be accompanied by a statement from a frequency advisory committee on the frequency(ies) requested or the proposed changes in the authorized station and the probable interference to existing stations. The committee must consider all stations operating on the frequencies requested or assigned within 320 km (200 mi) of the proposed area of operation and all prior coordinations and assignments on the proposed frequency(ies). The committee must also recommend frequencies that would result in the least interference. The committee must coordinate in writing all requests for frequencies or proposed operating changes in these bands with the responsible Government Area Frequency Coordinators listed in the NTIA “Manual of Regulations and Procedures for Federal Radio Frequency Management.” In addition, committee recommendations may include comments on other technical factors and contain restrictions that would appear on the license.
- New fixed stations in the 10.6-10.68 GHz band are restricted to point-to-point operations, with each station supplying not more than -3 dBW of transmitter power to the antenna, producing not more than 40 dBW of equivalent isotropically radiated power (EIRP), and radiating at an antenna main beam elevation angle of 20° or less.
- Non-geostationary satellites in the 22.55-23.55 GHz band operating in the inter-satellite service shall meet the following unwanted emissions power limits in any 200 megahertz of the 23.6-24 GHz passive band, based on the receipt date of the complete advance publication information by the ITU’s Radiocommunication Bureau: For information received before January 1, 2020: -36 dBW/200 MHz. For information received on or after January 1, 2020: -46 dBW/200 MHz.
- For new fixed stations in the 31-31.3 GHz band authorized after August 6, 2018, the unwanted emissions power in any 100 megahertz of the 31.3-31.5 GHz band shall be limited to -38 dBW (-38 dBW/100 MHz), as measured at the input to the antenna.
- For earth stations in the Fixed-Satellite Service (Earth-to-space) that transmit in the 49.7-50.2 GHz and 50.4-50.9 GHz bands, the unwanted emissions power in the 50.2-50.4 GHz band shall not exceed -20 dBW/200 MHz (measured at the input of the antenna), except that the maximum unwanted emissions power may be increased to -10 dBW/200 MHz for earth stations having an antenna gain greater than or equal to 57 dBi. These limits apply under clear-sky conditions. During fading conditions, the limits may be exceeded by earth stations when using uplink power control.

4. What procedures may be used to demonstrate compliance with the requirements?

For Part 2 equipment authorization procedures, see 47 C.F.R. Part 2, Subpart J, available at <http://www.ecfr.gov/cgi-bin/text-idx?SID=b18ca9e5287ca1e998ab4677bb146dcb&mc=true&node=pt47.1.2&rgn=div5#sp47.1.2.j>. Equipment authorization and service requirements for devices affected by the *WRC-07 R&O* can be found in Parts 2, 25, 87, and 101 of the Commission’s rules. For measurement procedures applicable to equipment other than satellite communications equipment, see Sections 2.947 and

2.1041 of the Commission's rules, 47 C.F.R. §§ 2.947 and 2.1041. However, see 47 C.F.R. Part 25 for Satellite Communications measurement procedures.

5. What are the penalties for non-compliance with the rules?

The Commission has the authority to investigate violations and to take action as appropriate, including the imposition of forfeiture penalties. Willful or repeated violations of the FCC's equipment authorization and/or importation and marketing rules, including but not limited to operation of communications equipment that does not comply with one or more of those rules, can result in significant forfeitures. See § 1.80 of the FCC rules, 47 C.F.R. § 1.80. Individuals or organizations may also be subject to criminal penalties under Title 18 of the U.S. Code. FCC field personnel, working in conjunction with the Attorney General of the United States, may seize illegal equipment. See 47 U.S.C. § 510(b).

6. Where can I find additional information?

Report and Order, Order, and Notice of Proposed Rulemaking, ET Docket No. 12-338, FCC 15-50, 30 FCC Rcd 4183 (2015).

https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-50A1.docx (Word)

https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-50A1.pdf (Acrobat)

https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-50A1.txt (Text)

Equipment authorization information: <http://www.fcc.gov/oet/ea/>

For questions concerning Satellite Communications (Part 25 of the Commission's rules), contact the International Bureau at (202) 418-0437 or contact_ib@fcc.gov.

For questions concerning Aviation Services (Part 87 of the Commission's rules) and Fixed Microwave Service (Part 101 of the Commission's rules), contact the Wireless Telecommunications Bureau at (202) 418-0600.

7. What if I have further questions on the technical rules?

The FCC maintains a web-based system that is used to submit inquiries to its Laboratory, as well as to search for previous rule interpretations and frequently asked questions. This system, called the OET Knowledge Database (KDB), can be accessed at www.fcc.gov/labhelp.