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U.S.-CANADA FM AGREEMENT MODIFIED TO PERMIT ADDED FLEXIBILITY FOR FM TRANSLATORS

On July 9, 1997, the United States and Canada formally agreed to amend the FM Agreement currently in effect. Most notably, the changes add greater flexibility to the allocation criteria for FM translator stations. Revisions of significance include: (1) FM translators can now operate with up to 250 Watts of effective radiated power (previous limit had been 50 watts) and with a 34 dBu interfering contour distance of up to 60 kilometers (previous limit had been 32 km); (2) concurrence by the other country is not required for FM translators where the interfering contour (34 dBu) does not extend beyond the border; and (3) adoption of a 6 kilowatt maximum effective radiated power level (ERP) for Class A assignments (the maximum ERP for a Class A station under the previous agreement had been 3 kilowatts).

By incorporating these relaxations into the current allocations principles, many translators within 320 kilometers of the border whose service potentials had been unduly limited, in spite of the nonexistence of any interference possibility, can now realize the maximum service capabilities for translators permitted under the FCC rules. Another benefit derived from the changes is the improvement in spectral efficiency resulting from the use of a commonly defined category and the proper separation distances associated with a bilaterally recognized 6 kilowatt Class A classification. Until now, six kilowatt FM stations required notification as higher powered Class B1 stations leading to excessive separation distances which in many cases could preclude use by other potential operations.

These revisions were effected through an exchange of Diplomatic Notes that modifies certain provisions of the existing *Agreement between the Government of the United States of America and the Government of Canada concerning the use of the 88 to 108 MHz frequency band for frequency modulation broadcasting (FM)*, which is dated February 25, 1991. This Agreement applies to FM stations located within 320 kilometers of the U.S.-Canada border. Because of changes made to the Commission's rules since the signing of the 1991 FM Agreement, it became necessary to renegotiate some of its terms to bring the Agreement into line with our updated domestic requirements. Understanding was reached following discussions between the Commission's International Bureau and Industry Canada. The Notes were signed on behalf of the U.S. Secretary of State by Ambassador Vonya B. McCann, U.S. Coordinator, International Communications and Information Policy (CIP) of the Department of State and for Canada by Ambassador Raymond Chretien of the Canadian Embassy in Washington, D.C.

Pending the modification of the pertinent FCC rules, applications which seek facilities that comply with the terms of the revised criteria will be considered acceptable.

The Diplomatic Notes are on file at the International Bureau Reference Room located on the first floor of 2000 M St. N.W. Copies are available from International Transcription Service at (202) 857-3800. For further information, contact Jimmy G. Ballis, Planning and Negotiations Division of the International Bureau at (202) 418-2150, (e-mail jballis@fcc.gov), or James Bradshaw, Audio Services Division of the Mass Media Bureau at (202) 418-2740, (e-mail jbradsha@fcc.gov).