

Dennis Ward

From: LabHelp [LabHelp@fcc.gov]
Sent: Thursday, October 14, 2004 4:04 AM
To: dward@americantcb.com
Subject: RE: Part 90.209 narrowbanding of 150-174MHz band

Question:

I have an application that deals with certification of a wideband (25kHz channel spacing) in the 150 to 174MHz band. 90.209(b)(6) clearly states that no authorization will be granted for this bandwidth after January 13, 2004. Several FCC documents have dealt with this issue. FCC 03-34 set the date to Jan, 2004. FCC04-156 (ET Docket No. 04-243) suggested extending the dead line to Jan 2005. However, as the actual rules listed in the Federal Registry still state January 13, 2004 as the date in which no applications for certification for 25kHz, it would not appear as this extension has been included. Also, while requests for reconsideration on this date have been filed with the FCC, it does not appear that the FCC has changed the date. Can a 25 kHz bandwidth device be certified until January 2005, in spite of what the regulation currently in the Federal Registry states?

Answer:

The official answer is:

- 1) Policy is currently under review for manufacturer and public safety concerns
- 2) Petitions for reconsideration have been submitted requesting an extension of the January 1, 2005 cutoff deadline
- 3) NPRM expected imminently - watch the FCC web site for news

The current policy is still in effect.

Per FCC 03-34 equipment in the Part 90 re-farming frequency bands (150-174 and 421-512 MHz) will no longer be issued with a 25 KHz emission designator. The new rules prohibit Equipment Authorization of devices with 25 KHz channel spacing after 12/31/04. The current policy to address this timeline is:

New Grants:

Applications for new equipment authorization received before 1/1/05 will be granted with a wideband (25 KHz) emission designator as long as the equipment also has a narrowband (12.5 KHz and/or 6.25 KHz) emission designator.

Applications for new equipment authorization received after 12/31/04 will not be granted with a wideband emission designator.

Permissive Changes:

A Class I permissive change may not be used to add a narrowband emission designator to a wideband device. Only the FCC or a TCB (within 30 days of grant) may modify the text on a grant and for a Class I permissive change no filing is submitted.

Applications for a Class II permissive change received before 1/1/05 may be submitted for any modification that meets the definition of a permissive change. The wideband channel will be listed on the grant. A Class II permissive change may be submitted to add a narrowband emission designator to a wideband grant if no hardware changes are made to the device. If hardware changes are made to the device, a new FCCID will be required. When a Class II permissive change is submitted to add a narrowband emission designator, only the permissive change grant will show the narrowband emission designator. The original grant will not be modified to show the new narrowband emission designator.

Applications for class II permissive changes for wideband only equipment will not be accepted after 1/1/05.

Applications for Class II permissive changes for multimode equipment received after 12/31/04 will not be granted with a wideband emission designator. A Class II permissive change may be submitted to add a narrowband emission designator to a wideband grant if no

hardware changes are made to the device. If hardware changes are made to the device, a new FCCID will be required. If a device that was previously granted with wideband and narrowband emission designators is submitted for a permissive change with modifications unrelated to the emission designators, the permissive change will be granted without the wideband emission designator. Applications for devices with only narrowband emission designators will be processed as they currently are.

Permissive Change Example:

Equipment is approved for 25/12.5 KHz operation prior to 1/1/05. After 1/1/05 a component unrelated to the power output or frequency determining circuitry becomes unavailable and must be replaced with a similar component. The change meets the 2.1043 definition of a permissive change and is tested to determine if a class I or class II permissive change is appropriate. If the test results show a class I change is acceptable, then the process is complete and the new device may be marketed. If the test results show a class II permissive change is required, an application is then submitted to the FCC or a TCB. For applications received after 1/1/05, the permissive change grant will not be issued as the original was with both 25 KHz and 12.5 KHz emissions, but only with the 12.5 KHz emission. When a permissive change is filed for 25/12.5 KHz equipment, the FCC will not require the device to show compliance with the 6.25 KHz requirements that become effective 1/1/05 per 90.203(j)(5).

Software Change to remove emission:

When a software change is made to a device to remove an approved operating mode/emission designator, no permissive change is required unless the device was approved as a software defined radio. If the device was approved as a software defined radio, a class III permissive change must be filed with the Commission. TCBS cannot approve software defined radios yet.