PART 26—GENERAL WIRELESS COMMUNICATIONS SERVICE

Subpart A—General Information

Sec.

- 26.1 Basis and purpose.
- 26.2 Other applicable rule parts.
- 26.3 Permissible communications.
- 26.4 Terms and definitions.

Subpart B—Applications and Licenses

- 26.11 Initial authorization.
- 26.12 Eligibility.
- 26.13 License period.
- 26.14 Criteria for comparative renewal proceedings.

Subpart C—Technical Standards

- 26.51 Equipment authorization.
- 26.52 RF hazards.
- 26.53 Emission limits.
- 26.54 Frequency stability.
- 26.55 Field strength limits.

Subpart D—Miscellaneous

- 26.101 Multiple ownership restrictions.
- 26.102 Service areas.
- 26.103 Frequencies.
- 26.104 Construction requirements.

Subpart E—Competitive Bidding Procedures for GWCS

- 26.201 GWCS subject to competitive bidding.
- 26.202 Competitive bidding design for GWCS licensing.
- 26.203 Competitive bidding mechanisms.
- 26.204 Withdrawal, default and disqualification penalties.
- 26.205 Bidding application (FCC Form 175 and 175–S Short-Form.
- 26.206 Submission of upfront payments and down payments.
- 26.207 Long form applications.
- 26.208 License grant, denial, default, and disqualification.
- 26.209 Eligibility for partitioned licenses.
- 26.210 Provisions for small businesses.

Subpart F—Application, Licensing, and Processing Rules for GWCS

- 26.301 Authorization required.
- 26.302 Eligibility.
- 26.303 Formal and informal applications.26.304 Filing of GWCS applications, fees,
- and numbers of copies. 26.305 Standard application forms and
- permissive changes or minor modifications for the General Wireless Communications Service.
- 26.306 Miscellaneous forms.
- 26.307 General application requirements.
- 26.308 Technical content of applications;
- maintenance of list of station locations. 26.309 Station antenna structures.
- 26.310 Waiver of rules.
- 26.311 Defective applications.
- 26.312 Inconsistent or conflicting
- applications. 26.313 Amendment of application for
- General Wireless Communications Service filed on FCC Form 175.
- 26.314 Amendment of applications for General Wireless Communications Service (other than applications filed on FCC Form 175).

- 26.315 Application for temporary authorizations.
- 26.316 Receipt of application; applications in the General Wireless Communications Service filed on FCC Form 175 and other applications in the GWCS.
- 26.317 Public notice period.
- 26.318 Dismissal and return of applications.
- 26.319 Ownership changes and agreements to amend or to dismiss applications or pleadings.
- 26.320 Opposition to applications.
- 26.321 Mutually exclusive applications.
- 26.322 Consideration of applications.
- 26.323 Post-auction divestitures. 26.324 Transfer of control or assi
- 26.324 Transfer of control or assignment of station authorization.26.325 Extension of time to complete
- construction. 26.326 Termination of authorization.

Authority: 47 U.S.C. Sections 154, 301,

302, 303, 309 and 332, unless otherwise noted.

Subpart A—General Information

§ 26.1 Basis and purpose.

This section contains the statutory basis for this part of the rules and provides the purpose for which this part is issued.

(a) Basis. The rules for the general wireless communications service (GWCS) in this part are promulgated under the provisions of the Communications Act of 1934, as amended, that vests authority in the Federal Communications Commission to regulate radio transmission and to issue licenses for stations.

(b) Purpose. This part states the conditions under which portions of the radio spectrum are made available and licensed for GWCS.

(c) Scope. The rules in this part apply only to stations authorized under this part.

§ 26.2 Other applicable rule parts.

Other FCC rule parts applicable to licensees in the general wireless communications service include the following:

(a) Part 0. This part describes the Commission's organization and delegations of authority. Part 0 of this chapter also lists available Commission publications, standards and procedures for access to Commission records, and location of Commission Field Offices.

(b) Part 1. This part includes rules of practice and procedure for license applications, adjudicatory proceedings, procedures for reconsideration and review of the Commission's actions; provisions concerning violation notices and forfeiture proceedings; and the environmental requirements that, if applicable, must be complied with prior to the initiation of construction.

(c) Part 2. This part contains the Table of Frequency Allocations and special

requirements in international regulations, recommendations, agreements, treaties. This part also contains standards and procedures concerning the marketing and importation of radio frequency devices, and for obtaining equipment authorization.

(d) Part 5. This part contains rules prescribing the manner in which parts of the radio frequency spectrum may be made available for experimentation.

(e) Part 17. This part contains requirements for construction, marking and lighting of antenna towers.

(f) Part 68. This part contains technical standards for connection of terminal equipment to the telephone network.

§26.3 Permissible communications.

GWCS licensees may provide any fixed or mobile communications service on their assigned spectrum. Broadcasting services, Radiolocation services and satellite services as defined in § 2.1 of this chapter are prohibited.

§26.4 Terms and definitions.

Assigned frequency. The center of the frequency band assigned to a station.

Authorized bandwidth. The maximum width of the band of frequencies permitted to be used by a station. This is normally considered to be the necessary or occupied bandwidth, whichever is greater.

Average terrain. The average elevation of terrain between 3 and 16 kilometers from the antenna site.

Effective radiated power (e.r.p.) (in a given direction). The product of the power supplied to the antenna and its gain relative to a half-wave dipole in a given direction.

Equivalent isotropically radiated power (e.i.r.p.). The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Fixed service. A radio communication service between specified fixed points.

Fixed station. A station in the fixed service.

Gross revenues. Gross revenues shall mean all income received by an entity, whether earned or passive, before any deductions are made for costs of doing business (e.g. cost of goods sold), as evidenced by audited financial statements for the relevant number of calendar years preceding January 1, 1994, or, if audited financial statements were not prepared on a calendar-year basis, for the most recently completed fiscal years preceding the filing of the applicant's short-form application (Form 175). For applications filed after December 31, 1995, gross revenues shall