

SECOND REPORT & ORDER & SECOND FURTHER NOTICE OF PROPOSED RULE MAKING

On March 11, the Federal Communications Commission (FCC) released a Second Report and Order and Second Further Notice of Proposed Rulemaking regarding its Part 90 Rules. Today's Order is based on a Notice of Proposed Rule Making from 2007.

The highlights are as follows:

- Conversions from Private Land Mobile Radio (PLMR) Services to Commercial Mobile Radio Services (CMRS) require coordination but CMRS to PLMR conversions do not require coordination.
- Frequency coordination is not required for modification applications that reduce the authorized bandwidth (adding or changing to 11K2F3E) and do not seek any other changes in technical parameters.
- Frequency coordination is still required for modification applications that add digital emissions (adding or changing to 7K60FXE or 4K00F1E).
- Applications seeking to modify licenses by lowering antenna height and/or decreasing power will be exempted from frequency coordination.
- Channel restrictions removed on mobile repeaters below 450 MHz.
- Agrees with the Land Mobile Communications Council (LMCC) that no rule changes are required with regards to coordination of frequencies on expired licenses.
- Allows multiple licensing of the same facility (FB4 base stations) to continue.
- State and local governments will have access to Industrial/Business spectrum for the operation of commercial enterprises such as utilities, golf courses, etc. The order will also allow state and local governments to utilize Industrial/Business itinerant frequencies for surveying equipment. Mission-critical public safety operations are still prohibited on Industrial/Business spectrum.
- FB8T stations will be renewed as FB2T (private, internal systems) or FB6T (for-profit private carriers), as appropriate.
- No changes made on:
 - AM Detuning
 - Reorganization of Part 90
- Seeks further comment on:
 - Wireless Medical Telemetry Service Issues – are safeguards needed?
 - End of Train Devices
 - Trunking Rules
 - 470-512 MHz band offset channels
 - Station identification

Rule changes are effective 30 days after publication of the Order in the Federal Register.

Comments are due 30 days after publication in the Federal Register.

The document is available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-10-36A1.doc or http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-10-36A1.pdf