

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of the Commission's Rules to)	ET Docket No. 96-2
Establish a Radio Astronomy Coordination Zone)	
in Puerto Rico)	RM-8165

ORDER

Adopted: April 13, 2005

Released: April 14, 2005

By the Office of Managing Director:

1. In this *Order*, the Office of Managing Director (“OMD”) amends twelve sections of the Commission’s Rules by updating the postal address of the Arecibo Radio Astronomy Observatory (“Observatory”) near Arecibo, Puerto Rico. OMD takes this action in response to a request filed with the Office of Engineering and Technology (“OET”) on behalf of Cornell University (“Cornell”), operator of the Observatory.

2. In October 1997, the Commission established a Coordination Zone covering the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra within the Commonwealth of Puerto Rico.¹ The Coordination Zone requires applicants for new and modified radio facilities in various communications services within the Coordination Zone to provide notification of their proposed operations to the Observatory at the time their applications are submitted to the Commission.² Applicants are required to “notify the Interference Office, Arecibo Observatory, Post Office Box 995, Arecibo, Puerto Rico 00613, in writing or electronically, of the technical parameters of the proposal.”³

3. On March 4, 2005, Counsel for Cornell informed OET that the postal address for the Observatory has changed and the Post Office is no longer forwarding mail sent to the above address listed in the Commission’s Rules. Accordingly, Counsel for Cornell requests that the postal address for the Observatory be amended in all applicable Commission Rules to "Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612."⁴

4. Amending the postal address for the Observatory in all applicable Commission Rules is ministerial and does not change the substance of the rule or any party's obligations or rights, and thus can

¹ See Amendment of the Commission’s Rules to Establish a Radio Astronomy Coordination Zone in Puerto Rico, ET Docket No. 96-2, *Report and Order*, 12 FCC Rcd 16522 (1997).

² *Id.*

³ *Id.* at 16538.

⁴ See correspondence of March 4, 2005 from Paul J. Feldman to Bruce Romano, Associate Chief, OET. This correspondence has been placed in the record of ET Docket No. 96-2.

be undertaken under OMD's delegated authority without a notice and comment rulemaking. 47 C.F.R. § 0.231(b). OMD has examined the entirety of the Commission's Rules and finds twelve sections that require amendment to reflect the Observatory's new postal address. Changes to these rule sections are shown in the attached Appendix.

5. Accordingly, IT IS ORDERED that pursuant to section 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 154(j), and sections 0.11 and 0.231 of the Commission's Rules, 47 C.F.R. §§ 0.11 and 0.231, this *Order* IS ADOPTED and the rules specified in the Appendix ARE EFFECTIVE upon release of this *Order*.

FEDERAL COMMUNICATIONS COMMISSION

Andrew S. Fishel
Managing Director

APPENDIX: FINAL RULES

Part 1 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 1—PRACTICE AND PROCEDURE

1. The authority citation for Part 1 continues to read as follows:

AUTHORITY: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r), 309 and 325(e).

2. Section 1.924 is amended by revising paragraph (d) to read as follows:

§ 1.924 Quiet zones.

* * * * *

(d) Notification to the Arecibo Observatory. The requirements in this section are intended to minimize possible interference at the Arecibo Observatory in Puerto Rico. Licensees must make reasonable efforts to protect the Observatory from interference. Licensees planning to construct and operate a new station at a permanent fixed location on the islands of Puerto Rico, Desecheo, Mona, Vieques or Culebra in services in which individual station licenses are issued by the FCC; planning to construct and operate a new station at a permanent fixed location on these islands that may cause interference to the operations of the Arecibo Observatory in services in which individual station licenses are not issued by the FCC; or planning a modification of any existing station at a permanent fixed location on these islands that would increase the likelihood of causing interference to the operations of the Arecibo Observatory must notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically (e-mail address: prcz@naic.edu), of the technical parameters of the planned operation. Carriers may wish to use the interference guidelines provided by Cornell University as guidance in designing facilities to avoid interference to the Observatory. The notification must include identification of the geographical coordinates of the antenna location (NAD-83 datum), the antenna height, antenna directivity (if any), proposed channel and FCC Rule Part, type of emission, and effective isotropic radiated power.

(1) * * *

(2) * * *

(3) * * *

(4) * * *

* * * * *

Part 23 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 23 - INTERNATIONAL FIXED PUBLIC
RADIOCOMMUNICATION SERVICES**

1. The authority citation for Part 23 continues to read as follows:

AUTHORITY: Secs. 4, 303, 48 Stat. 1066, 1082 as amended; 47 U.S.C. 154, 303. Interpret or apply sec. 301, 48 Stat. 1081; 47 U.S.C. 301.

2. Section 23.20 is amended by revising paragraph (f) to read as follows:

§ 23.20 Assignment of frequencies.

* * * * *

(f) Any applicant for a new permanent base or fixed station to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) * * *

(2) * * *

(3) * * *

Part 25 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 25 - SATELLITE COMMUNICATIONS

1. The authority citation for Part 25 continues to read as follows:

AUTHORITY: 47 U.S.C. 701-744. Interprets or applies Sections 4, 301, 302, 303, 307, 309 and 332 of the Communications Act, as amended. 47 U.S.C. Sections 154(i), 301, 302, 303, 307, 309 and 332, unless otherwise noted.

2. Section 25.203 is amended by revising paragraph (i) revised to read as follows:

§ 25.203 Choice of sites and frequencies.

* * * * *

(i) Any applicant for a new permanent transmitting fixed earth station authorization to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of such station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) * * *

(2) * * *

(3) * * *

* * * * *

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73 - RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

AUTHORITY: 47 U.S.C. 154, 303, 334 and 336.

2. Section 73.1030 is amended by revising paragraph (a) to read as follows:

§ 73.1030 Notifications concerning interference to radio astronomy, research and receiving installations.

(a)(1) * * *

(2) Any applicant for a new permanent base or fixed station authorization to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(i) * * *

(ii) * * *

* * * * *

Part 74 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 74 - EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST
AND OTHER DISTRIBUTIONAL SERVICES**

1. The authority citation for Part 74 continues to read as follows:

AUTHORITY: 47 U.S.C. 154, 303, 307, 336(f), 336(h) and 554.

2. Section 74.24 is amended by revising paragraph (j) to read as follows:

§ 74.24 Short-term operation.

* * * * *

(j)(1) This paragraph applies only to operations which will transmit on frequencies under 15 GHz. Prior to commencing short-term operation of a remote pickup broadcast station, a remote pickup automatic relay station, an aural broadcast STL station, an aural broadcast intercity relay station, a TV STL station, a TV intercity relay station, a TV translator relay station, a TV pickup station, or a TV microwave booster station within the 4-mile (6.4 kilometer) radius Commonwealth of Puerto Rico Protection Zone (centered on NAD-83 Geographical Coordinates North Latitude 18° 20' 38.28", West Longitude 66° 45' 09.42"), an applicant must notify the Arecibo Observatory, located near Arecibo, Puerto Rico. Operations within the Puerto Rico Coordination Zone (*i.e.*, on the islands of Puerto Rico, Desecheo, Mona, Vieques, or Culebra), but outside the Protection Zone, whether short term or long term, shall provide notification to the Arecibo Observatory prior to commencing operation. Notification should be directed to the following: Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, Tel. (809) 878-2612, Fax (809) 878-1861, E-mail prcz@naic.edu.

(2) * * *

Part 78 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 78 - CABLE TELEVISION RELAY SERVICE

1. The authority citation for Part 78 continues to read as follows:

AUTHORITY: Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

2. Section 78.19 is amended by revising paragraph (c) to read as follows:

§ 78.19 Interference.

* * * * *

(c)(1) * * *

(2) Any applicant for a new permanent base or fixed station authorization to be located on the

islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(i) * * *

(ii) * * *

(iii) * * *

* * * * *

Part 95 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 95 - PERSONAL RADIO SERVICES

1. The authority citation for Part 95 continues to read as follows:

AUTHORITY: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303.

2. Section 95.192 is amended by revising paragraph (d) to read as follows:

§ 95.192 (FRS Rule 2) Authorized Locations.

* * * * *

(d) Anyone intending to operate an FRS unit on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) * * *

(2) * * *

3. Section 95.206 is amended by revising paragraph (c) to read as follows:

§ 95.206 (R/C Rule 6) Are there any special restrictions on the location of my R/C station?

* * * * *

(c) Anyone intending to operate an R/C station on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall

notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) * * *

(2) * * *

4. Section 95.405 is amended by revising paragraph (d) to read as follows:

§ 95.405 (CB Rule 5) Where may I operate my CB station?

* * * * *

(d) Anyone intending to operate a CB station on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) * * *

(2) * * *

5. Section 95.1003 is amended by revising paragraph (c) to read as follows:

§ 95.1003 Authorized locations.

* * * * *

(c) Anyone intending to operate an LPRS transmitter on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) * * *

(2) * * *

6. Section 95.1303 is amended by revising paragraph (c) to read as follows:

§ 95.1303 Authorized locations.

* * * * *

(c) Anyone intending to operate a MURS unit on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) * * *

(2) * * *

Part 97 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 97 - AMATEUR RADIO SERVICE

1. The authority citation for Part 97 continues to read as follows:

AUTHORITY: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609, unless otherwise noted.

2. Section 97.205 is amended by revising paragraph (h) to read as follows:

§ 97.205 Repeater station.

* * * * *

(h) The provisions of this paragraph do not apply to repeaters that transmit on the 1.2 cm or shorter wavelength bands. Before establishing a repeater within 16 km (10 miles) of the Arecibo Observatory or before changing the transmitting frequency, transmitter power, antenna height or directivity of an existing repeater, the station licensee must give written notification thereof to the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Licensees who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) * * *

(2) * * *