



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FEDERAL COMMUNICATIONS COMMISSION ADOPTS RULES TO EXPAND, ENHANCE FIRST RESPONDERS' USE OF 4.9 GHz BROADBAND COMMUNICATIONS ACROSS THE NATION

Washington, D.C. – The Federal Communications Commission (Commission) has adopted a Report and Order and Further Notice of Proposed Rulemaking (Order) addressing 4.9 GHz band rules, as well as miscellaneous Part 90 public safety rules. The rules will help expand and enhance first responders' deployment of broadband communication technologies across the nation in the 4.9 GHz band, thereby helping to stimulate the economy. The new rules will also better enable first responders to more easily share time-sensitive data and streaming video footage in emergencies or life-threatening incidents.

Under the Order, the Commission granted primary status to (1) 4.9 GHz stand-alone, permanent fixed links that are used to deliver broadband service (such as a fixed video surveillance link used to monitor high-risk facilities or environments), and (2) permanent fixed links that connect 4.9 GHz base and mobile stations used to deliver broadband service (for such uses as supporting broadband communications at "hot-spots" and other fixed public safety broadband networks), as well as connect other public safety networks using spectrum designated for broadband use. The Commission took these actions in order to provide public safety with additional operational flexibility to use the 4.9 GHz band during emergencies and disasters and better enable first responders to share crucial data in their efforts to assist those in need and save lives.

The Order retained the current requirement for individual site-based licensing for all permanent fixed stations. The Commission, however, revised the output power measurement procedures for 4.9 GHz band devices to be the same as those required for devices using digital modulation techniques regulated by Part 15 of the Commission's rules. This rule change is intended to speed deployment of new technologies in the 4.9 GHz band for the benefit of public safety users.

To further enhance public safety communications, the Commission preserved paging operations in the VHF public safety band, and clarified that cross-band repeaters are permitted for all public safety systems.

Additionally, the Commission sought comment on whether to: (1) further amend its rules to reinstate an exemption of 4.9 GHz band applications from certified frequency coordination requirements; (2) impose a more formal "licensee-to-licensee" coordination requirement on primary fixed stations in the 4.9 GHz band; (3) correct and clarify the 4.9 GHz band plan regarding which

center frequencies may be licensed when aggregating multiple channels into larger bandwidths; and (4) implement three “clean-up” amendments to Section 90.20 of the Commission’s rules relating to the Public Safety Pool Frequency Table and associated limitations.

Action by the Commission, April 7, 2009 by Report and Order and Further Notice of Proposed Rulemaking (FCC 09-29). Acting Chairman Copps, and Commissioners Adelstein and McDowell. Separate statement issued by Acting Chairman Copps.

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