FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

November 1, 1991

In reply refer to:
7240

Mr. Michael Binder
Assistant Deputy Minister
Research and Spectrum
Department of Communications
300 Slater Street
Ottawa, Ontario K1A 0C8
Canada

Dear Mr. Binder:

The Department of Communications (DOC) of Canada has assisted the Federal Communications Commission (FCC) of the United States of America in developing a sharing arrangement for the aeronautical service in the 136-137 MHz band. Discussions have taken place between representatives from both countries.

On behalf of Ralph A. Haller, the Chief of the Private Radio Bureau, I am forwarding for your consideration an arrangement which we believe will satisfy both countries' spectrum needs in the 136-137 MHz band. This arrangement would apply provisionally until the definitive entry into force of a replacement for the *Agreement Concerning the Coordination and Use of Radio Frequencies Above 30 Megacycles per Second*, with Annex (Above 30 MHz Agreement), as amended.[1] We are prepared to undertake such a revision as part of an overall review and update of the Above 30 MHz Agreement.

Please confirm your acceptance of the attached arrangement as an understanding between our two agencies until revision of the Above 30 MHz Agreement can be concluded.

Sincerely,

Bruce A. Franca
Deputy Chief Engineer

Enclosure

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1. Exchange of Notes at Ottawa, October 24, 1962. Entered into force October 24, 1962. USA: *Treaties and Other International Acts Series* (TIAS 5205); CAN: *Canada Treaty Series* (CTS) 1962 No. 15.

   Agreement Revising the Technical Annex to the Agreement of October 24, 1962 (TIAS 5205/CTS 1962 No. 15). Effected by Exchange of Notes at Ottawa, June 16 and 24, 1965. Entered into force June 24, 1965. USA: TIAS 5833/CAN: CTS 1962 No. 15.

CONFIRMATION OF ACCEPTANCE

The attached arrangement between the Department of Communications of Canada and the Federal Communications Commission entitled *U.S./Canada Interim Channelling Arrangement for the Aeronautical Mobile (R) Service Utilizing 25 kHz Channels for the Band 136-137 MHz* is accepted as an understanding between our two agencies. This Arrangement will become effective on January 2, 1992 and is to be applied provisionally until the definitive entry into force of a replacement for the *Agreement Concerning the Coordination and Use of Radio Frequencies Above Thirty Megacycles per Second*, with Annex, as amended.

Michael Binder
Assistant Deputy Minister
Research and Spectrum
Department of Communications

Date: January 15, 1992

Ralph A. Haller
Chief, Private Radio Bureau
Federal Communications Commission

Date: November 1, 1991

U.S./CANADA INTERIM CHANNELLING ARRANGEMENT FOR THE AERONAUTICAL MOBILE (R) SERVICE UTILIZING 25 KHZ CHANNELS FOR THE BAND 136-137 MHZ

1. The provisions of this Arrangement apply to the Federal Communications Commission of the United States and the Department of Communications of Canada (the Administrations) regarding use of the 25 kHz channels in the 136-137 MHz frequency band that appear in paragraph 2 below.

2. These 25 kHz channels are allotted as follows:

Freq. (MHz)	U.S.	CANADA
136.000	X	X
136.025	X	X
136.050	X	X
136.075	X	X
136.100	X	X
136.125	X	X
136.150	X	X
136.175	X	X
136.200	X	X
136.225	X	X
136.250	X	X
136.275	X	X
136.300	X	X
136.325	X	X
136.350	X	X
136.375	X	X
136.400	X	X
136.425	X	X
136.450	X	X
136.475	X	X
136.500	X	X
136.525	X	
136.550	X	X
136.575		X
136.600	X	X
136.625	X	
136.650	X	X
136.675		X

Freq. (MHz)	U.S.	CANADA
136.700	X	X
136.725	X	
136.750	X	X
136.775		X
136.800	X	X
136.825	X	
136.850	X	X
136.875		X
136.900	X	X
136.925	X	
136.950	X	X
136.975		X

Note 1: Frequencies primarily allotted for use by the United States may also be assigned to Canadian stations within the frequency coordination zones listed in Attachment A following successful coordination with the United States.

Note 2: Frequencies primarily allotted for Canadian use may also be assigned to United States stations within the frequency coordination zones listed in Attachment A following successful coordination with Canada.

Note 3: All frequencies listed in paragraph 2 may be assigned without prior coordination outside the coordination zones listed in Attachment A.

Note 4: The frequencies 136.000 MHz through 136.475 MHz allocated for air traffic control (ATC) purposes will be shared on an equal basis without prejudging the needs of either Administration.

Note 5: The frequencies 136.000 MHz through 136.475 MHz will be coordinated on the basis of required technical data as established in the October 24, 1962, agreement entitled *TELECOMMUNICATIONS-Coordination and Use of Radio Frequencies Above 30 Megacycles per Second* and any subsequent revisions thereto.

3. For frequencies 136.500 MHz through 136.975 MHz that are within the frequency coordination zones listed in Attachment A, the Administrations shall coordinate assignments of all frequencies allocated jointly to both Administrations.

4. In adopting this Arrangement, it is understood by the Administrations that: each Administration retains complete flexibility in making use of its channels within the frequency coordination zone(s); the option provided by Notes 1 and 2 of Paragraph 2 should not be exercised unless a requirement cannot be satisfied on a channel allotted to that Administration under the plan; an assignment made under the provisions of Notes 1 and 2 should not be a bar to future use of the channel by the Administration to which it is allocated

in paragraph 2 above; consideration shall be given to the overall frequency utilization in the area of the proposed station.

5. Before an Administration assigns a frequency allotted to the other Administration, it shall establish that neither the frequencies primarily allotted to it nor the frequencies allotted jointly are available. Before an Administration requests the return of one of its allotted frequencies, it shall establish that it cannot otherwise meet its operational requirements. Where a determination indicates congestion of equal magnitude, consideration shall be given to the sharing of a frequency on an equal basis by the two countries. In cases where such determination indicates greater congestion in the area of the proposed station, the frequency shall be returned to the Administration to which the channel is allotted.

6. This Arrangement takes cognizance of pertinent provisions promulgated by the 1979 and 1987 World Administrative Radio Conferences (WARC). Specifically, the 1979 WARC reallocated world-wide the use of the 136-137 MHz band, effective January 2, 1990, to the aeronautical mobile (R) service on a primary basis, and to the space operation, meteorological satellite, space research, fixed and other mobile services on a secondary basis. Subsequently, the 1987 Mobile WARC, in Resolution 408, resolved that as of January 1, 1990, administrations operating stations on a secondary basis in this band take steps to protect the aeronautical mobile (R) service. Additionally, the 1987 Mobile WARC requested that as of the same date, administrations refrain from authorizing new assignments to the services to which the band is allocated on a secondary basis. In recognition of the foregoing, the Administrations agree to make no new assignment after January 1, 1992 to stations of the services to which the band is allocated on a secondary basis and to cease operation of any preexisting stations in such secondary services if their operation causes interference[2] to stations of the aeronautical mobile (R) service, to which the band is allocated on a primary basis.

7. This Arrangement shall be subject to review after five years. In this regard, the Administrations shall exchange information as to frequency assignments annually.

8. This Arrangement is of an interim nature pending incorporation into a replacement for the *Agreement Concerning the Coordination and Use of Radio Frequencies Above 30 Megacyles per Second,* with Annex as amended.

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2. See *Radio Regulations*, International Telecommunication Union (ITU), Sec. VII Sec. 7.1, para. 160 (1982 ed., rev, 1985 & 1986) (Definition of *Interference*).

ATTACHMENT A

FREQUENCY COORDINATION ZONES FOR CO-CHANNEL ASSIGNMENTS

Type of Station		Altitude Level (Feet)	Coordination Zone* (Nautical Miles)
Ramp	(RT)	Ground Level	50
Helicopter	(HO)	0 to 2,000	150
Low Level	(LL)	0 to 10,000	250
Mid Level	(ML)	0 to 20,000	400
High Level	(HL)	Over 20,000	600

* The Coordination Zone is the distance from the U.S./Canada border.