



# PUBLIC NOTICE

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DA 12-1386  
August 22, 2012  
Enforcement Advisory No. 2012-05

## FCC ENFORCEMENT ADVISORY

### FCC NARROWBANDING RULES

#### ENFORCEMENT BUREAU REMINDS PRIVATE LAND MOBILE LICENSEES AND EQUIPMENT MANUFACTURERS OF THE JANUARY 1, 2013 DEADLINE FOR TRANSITIONING TO NARROWBAND TECHNOLOGY

To promote the efficient use of private land mobile radio (PLMR) spectrum and to facilitate the introduction of advanced technologies, the Commission has adopted rules requiring certain PLMR licensees and manufacturers to transition from wideband technology (*i.e.*, systems using 25 kHz of bandwidth) to narrowband technology (*i.e.*, systems using 12.5 kHz or narrower bandwidth) by January 1, 2013.<sup>1</sup> The FCC's Enforcement Bureau is issuing this Enforcement Advisory to remind all private land mobile radio licensees operating in the 150-174 MHz and 421-470 MHz frequency bands (VHF/UHF bands)<sup>2</sup> that they must migrate their systems to narrowband technology by January 1, 2013. The Bureau also reminds manufacturers (subject to the limited exceptions noted below) that they must cease manufacturing and importing equipment that is capable of 25 kHz mode operation in the VHF/UHF bands by the narrowbanding transition deadline.

#### What must private land mobile licensees operating in the VHF/UHF bands do as of January 1, 2013?

- Operate on 12.5 kHz (11.25 kHz occupied bandwidth) or narrower channels, or
- Employ narrowband-equivalent technology, *i.e.*, a technology that achieves the narrowband equivalent of at least one channel per 12.5 kHz of channel bandwidth for voice and transmission rates of at least 4800 bits per second per 6.25 kHz for data systems operating with bandwidths greater than or equal to 12.5 kHz.
- PLMR licensees are not required, at this time, to modify their licenses to remove wideband emission designators. However, the presence of a wideband emission designator on a license does not authorize operation after January 1, 2013 that does not comply with the narrowbanding standards.

<sup>1</sup> See 47 C.F.R. §§ 90.203(j), 90.209(b).

<sup>2</sup> In April 2012, the Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau waived, on their own motion, the narrowbanding requirement for licensees in the 470-512 MHz band. See *Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended*, Order, WT Docket 99-87, DA 12-642 (OET, PSHSB, WTB) (rel. Apr. 26, 2012). The waiver applies only to frequencies in the 470-512 MHz band. Therefore, licensees that operate in the 470-512 MHz band and the 150-174 MHz or 421-470 MHz bands must meet the narrowbanding transition deadline with respect to their frequencies below 470 MHz.

**What are manufacturers required to do as of January 1, 2013?** Except under certain limited circumstances, equipment manufacturers may no longer manufacture and import previously-certified equipment capable of operating with only one voice path per 25 kHz of spectrum in the 150-174 MHz or 421-470 MHz bands.<sup>3</sup>

**What if private land mobile licensees or manufacturers need more time?** The Commission has long emphasized its commitment to the January 1, 2013 deadline for migration to narrowband technology.<sup>4</sup> PLMR licensees or manufacturers that anticipate the need for additional time beyond the January 1, 2013 deadline to complete the narrowbanding of their systems or to bring their equipment into compliance with the equipment certification rules, respectively, must request a waiver.<sup>5</sup> However, requests for waivers of the deadline will be subject to a high level of scrutiny under the waiver standard set forth in Section 1.925 of the Commission's rules.<sup>6</sup>

**What are the penalties for failure to comply with the January 1, 2013 deadline?** The Enforcement Bureau is committed to aggressively enforcing the narrowbanding transition deadline and violators may be subject to enforcement action. Penalties for non-compliance may include license revocation, and/or monetary forfeitures of up to \$16,000 for each such violation or each day of a continuing violation, and up to \$12,500 for any single act or failure to act.<sup>7</sup>

**Need More Information?** Detailed information and references concerning narrowbanding are available at [www.fcc.gov/narrowbanding](http://www.fcc.gov/narrowbanding). For further information, licensees and frequency coordinators may contact Mr. Melvin Spann of the Wireless Telecommunications Bureau, Mobility Division, (202) 418-1333, [Melvin.Spann@fcc.gov](mailto:Melvin.Spann@fcc.gov), or Mr. Roberto Mussenden of the Public Safety and Homeland Security Bureau, Policy Division, (202) 418-1428, [Roberto.Mussenden@fcc.gov](mailto:Roberto.Mussenden@fcc.gov) or [narrowbanding@fcc.gov](mailto:narrowbanding@fcc.gov). Equipment manufacturers may contact Mr. Andy Leimer of the Office of Engineering and Technology, (301) 362-3049, [Andrew.Leimer@fcc.gov](mailto:Andrew.Leimer@fcc.gov). For more information regarding enforcement of the narrowbanding rules, contact the Enforcement Bureau at (202) 418-7450. Media inquiries should be directed to Mr. William Davenport, [William.Davenport@fcc.gov](mailto:William.Davenport@fcc.gov), (202) 418-1034.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY). You may also contact the Enforcement Bureau on its TTY line at 202-418-1148 for further information about this Enforcement Advisory, or the FCC on its TTY line at 1-888-Tell-FCC (1-888-835-5322).

Issued by: Chief, Enforcement Bureau

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<sup>3</sup> Beginning January 1, 2011, the Commission no longer certified equipment capable of operating with only one voice path per 25 kHz of spectrum in the 150-174 MHz or 421-512 MHz bands. Manufacturers may continue to manufacture and import equipment that is capable of 25 kHz mode operation in the 470-512 MHz band as long as the equipment also has a narrowband emission designator (12.5 kHz and/or 6.25 kHz). In addition, there are limited circumstances under which manufacturers may not be subject to the January 1, 2013 deadline. See 47 C.F.R. §§ 90.203(j)(7) and (8). For additional guidance from OET regarding equipment authorization, visit <https://apps.fcc.gov/oetcf/kdb/forms/FTSSearchResultPage.cfm?switch=P&id=20292>.

<sup>4</sup> See *Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended; Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies*, Order, 25 FCC Rcd 8861, 8866 ¶ 12 (2010).

<sup>5</sup> See *Wireless Telecommunications Bureau, Public Safety and Homeland Security Bureau, and Office of Engineering and Technology Provide Reminder of January 1, 2013 Deadline for Transition to Narrowband Operations in the 150-174 MHz and 421-512 MHz Bands and Guidance for Submission of Requests for Waiver and Other Matters*, Public Notice, 26 FCC Rcd 9647 (2011); see also *Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Provide Supplemental Guidance for Licensees in the 150-174 MHz and 421-512 MHz Bands Seeking Waivers of the January 1, 2013 Narrowbanding Deadline*, Public Notice, 27 FCC Rcd 1936 (WTB, PSHSB 2012).

<sup>6</sup> 47 C.F.R. §1.925.

<sup>7</sup> See 47 U.S.C. §§ 401, 501, 503; 47 C.F.R. § 1.80.