

PROTOCOL CONCERNING THE USE OF THE BAND 1850-1990 MHZ  
FOR PERSONAL COMMUNICATIONS SERVICES  
ALONG THE COMMON BORDER

This Protocol is being concluded pursuant to the Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Allocation and Use of Frequency Bands by Terrestrial Non-Broadcasting Radiocommunication Services Along the Common Border signed June 16, 1994, herein referred to as the Agreement.

ARTICLE I. Purposes

The purposes of this Protocol are:

1. To establish and adopt a common plan for the equitable use of the 1850-1990 MHz frequency band by personal communications services (PCS) within a distance of 72 km (45 miles) on each side of the common border, and to protect existing users of the fixed point-to-point service on each side of the common border;
2. To establish coordination procedures; and,
3. To establish basic technical criteria that will permit each Administration to make full use of the band.

ARTICLE II. Definitions

1. For the purpose of this Protocol and as provided for in Article IV of the Agreement, the term, Administration(s), shall refer to the Federal Communications Commission (FCC) of the United States of America and the Secretaria de Comunicaciones y Transportes (SCT) of the United Mexican States.

2. For the purpose of this Protocol, Personal Communications Services (PCS) are defined as radio communications that encompass mobile and ancillary fixed communications that provide services to individuals and businesses and can be integrated with a variety of competing networks.

ARTICLE III. Conditions of Use

1. Both Administrations shall equally share the frequency band 1850-1990 MHz along the common border for the provision of PCS services within their respective countries.
2. The band 1910-1930 MHz has been designated in both countries for very low power PCS use.
3. Both Administrations agree to not authorize any new users in the 1850-1990 MHz band for operations of the fixed point-to-point service.
4. Coordination with Fixed Point-to-Point Service Operations
  - 4.1 Both Administrations agree that the provision of any new PCS service shall be on the basis that harmful interference is not caused to existing stations in the

fixed point-to-point service authorized by the other Administration. Both Administrations agree to exchange information on current stations in the fixed point-to-point service before 18 July 1995.

4.2 Both Administrations agree to require coordination of all PCS systems located within 72 km (45 miles) of the common border relative to any stations in the fixed point-to-point service within 120 km (75 miles) of the border. Such coordination shall be based on:

- a) a technical analysis that harmful interference is not caused to existing stations in the fixed point-to-point service of the other Administration. The analysis shall be based on procedures mutually agreed to by the two Administrations, taking into account among others, the TIA/EIA Telecommunications Systems Bulletin (TSB10-F), "Interference Criteria for Microwave Systems," or
- b) alternatively, a mutually acceptable arrangement between the applicant/operator of the PCS facility and any affected fixed point-to-point service operators and is subject to the review or approval, as appropriate, by the Administrations.

In the event that the operators can not reach a mutually acceptable agreement within two (2) years, then the matter will be referred to both Administrations for resolution.

4.3 In the event that there is harmful interference from PCS operation within 72 km (45 miles) of the common border to stations in the fixed point-to-point service located beyond 120 km (75 miles) from the common border, the Administration responsible for granting the license to the station causing the interference shall take appropriate action to resolve the interference.

5. Coordination between PCS Operations in the Bands  
1850-1910 MHz and  
1930-1990 MHz

5.1 Both Administrations agree that, in the event that PCS systems authorized under this Protocol by one Administration use the same frequencies as those used by systems authorized by the other Administration, coordination of PCS base station transmitters located within 72 km (45 miles) of the common border shall be required to eliminate any harmful interference to operations in the territory of the other country, and

to ensure that both countries continue to have equal access to the frequencies covered in this Protocol.

- 5.2 Both Administrations agree to take appropriate measures to eliminate harmful interference.

ARTICLE IV. Technical Criteria and Parameters

1. Both Administrations agree that the predicted or measured median field strength of any PCS base station shall not exceed 47 dBuV/m at any location at or beyond the common border.
2. Both Administrations agree that the coordination of appropriate system parameters (both operating and technical) by the operators of the PCS systems represents the best way to ensure compatible and independent operation of PCS services. The operators of PCS systems shall carry out such coordination, and will notify the two Administrations of any agreed arrangements, and of those arrangements on which they were not able to agree. In any case, the agreed arrangements by the operators will be subject to the review or approval, as appropriate, of the Administrations, within 60 days of having been notified.

ARTICLE V. Cross Border Roaming Service

Cross border roaming service is permitted only as long as the service providers in each country have agreed. This service is provided in accordance with the laws, regulations, standards and authorizations of the country in which the mobile is operating. The service providers shall avoid discriminatory treatment in the provision of the service.

ARTICLE VI. Entry into Force and Termination

This Protocol shall enter into force on the date of signing. It shall remain in force until it is replaced by a new Protocol, or until it is terminated in accordance with Article VII of the Agreement.

IN WITNESS WHEREOF, the respective representatives have signed the present Protocol.

Done at Washington, this sixteenth day of May, 1995, in duplicate, in the English and Spanish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE  
UNITED MEXICAN STATES:

