

§ 78.109

47 CFR Ch. I (10–1–03 Edition)

(b) For paths shorter than those specified in the Table, the EIRP shall not exceed the value derived from the following equation.

EIRP = MAXEIRP - 40 log(A/B) dBW

Where:

EIRP = The new maximum EIRP (equivalent isotropically radiated power) in dBW.

MAXEIRP = Maximum EIRP as set forth in the Table in § 74.636 of this part.

A = Minimum path length from the Table above for the frequency band in kilometers.

B = The actual path length in kilometers.

NOTE TO PARAGRAPH (b): For transmitters using Automatic Transmitter Power Control, EIRP corresponds to the maximum transmitter power available, not the coordinated transmit power or the nominal transmit power.

(c) Upon an appropriate technical showing, applicants and licensees unable to meet the minimum path length requirement may be granted an exception to these requirements.

NOTE: Links authorized prior to April 1, 1987, are excluded from this requirement, except that, effective April 1, 1992, the Commission will require compliance with the criteria where an existing link would otherwise preclude establishment of a new link.

[52 FR 7145, Mar. 9, 1987, as amended at 68 FR 12776, Mar. 17, 2003]

§ 78.109 Major and minor modifications to stations.

(a) Amendments to applications and modifications to stations are classified as major or minor. A major modification requires a formal application. A major amendment to an application is treated as a new application.

(b) Major modifications to a station or amendments to an application include, but are not limited to:

- (1) Any increase in bandwidth;
(2) Any change in the transmitting antenna system of a station, other than a CARS pickup station, including the direction of the main radiation lobe, directive pattern, antenna gain or transmission line, antenna height or location;
(3) Any change in the type of modulation;
(4) Any change in the location of a station transmitter, other than a CARS pickup station transmitter, except a move within the same building or upon the tower or mast or a change

in the area of operation of a CARS pickup station;

- (5) Any change in frequency assignment, including polarization;
(6) Any increase in authorized operating power;
(7) Any substantial change in ownership or control;
(8) Any addition or change in frequency, excluding removing a frequency;
(9) Any modification or amendment requiring an environmental assessment (as governed by §§ 1.1301 through 1319 of this chapter, including changes affecting historic preservation under § 1.1307(a)(4) of this chapter and 16 U.S.C. 470 (National Historic Preservation Act));
(10) Any request requiring frequency coordination; or
(11) Any modification or amendment requiring notification to the Federal Aviation Administration as defined in 47 CFR 17, subpart B.

(c) Minor changes may be made at the discretion of the licensee, provided proper notice is given to the Commission within 30 days of implementing the change and provided further, that the changes are appropriately reflected in the next application for renewal of the license for the station.

(d) For applications and modifications, the following changes are considered minor:

- (1) Any name change not involving change in ownership or control of the license;
(2) Any change to administrative information, e.g., address, telephone number, or contact person;
(3) Any change in ownership that does not affect the identity or controlling interest of the licensee;
(4) Lowering power;
(5) Removing one or more channels;
or
(6) Deleting a path.

[68 FR 27004, May 19, 2003]

EFFECTIVE DATE NOTE: At 68 FR 27004, May 19, 2003, § 78.109 was revised. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.