

The attached document is an interim sharing Arrangement concerning the use of the 1850 to 1990 MHz band for Personal Communications Services (PCS) along the United States and Canada border, as agreed between representatives of Industry Canada and the Federal Communications Commission (FCC) during the Radio Technical Liaison Committee (RTLCL) meeting held November 14, 1994. Recognizing that in Canada spectrum for 2 GHz PCS has not yet been identified and recognizing that neither country has identified specific PCS operations, this interim Arrangement should be reviewed within one year from the date of signing of this Arrangement.

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## 1. *Scope*

- 1.1 This interim Arrangement between Industry Canada and the Federal Communications Commission, herein referred to as the Administrations, covers the use of the frequency band 1850 to 1990 MHz along the Canada/United States border.
- 1.2 This interim Arrangement is subject to review at any time at the request of either Administration.
- 1.3 This interim Arrangement will be applied provisionally until the definitive entering 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.*<sup>1</sup>

## 2. *PCS Use of the Band*

- 2.1 Both Administrations agree that the 1850-1990 MHz frequency band shall be shared on an equal basis along the border and that to the extent possible both Administrations shall have full use of those frequencies or sub-bands identified for the provision of Personal Communications Services (PCS) or similar type services within their respective countries.

## 3. *Existing Microwave Use of the Band*

- 3.1 Both Administrations agree that additional use of the 1850-1990 MHz band for fixed point-to-point operations shall be limited and discouraged to the extent possible starting with the effective date of this Arrangement.
- 3.2 Both Administrations agree that any new use of 1910-1930 MHz (which has been designated for unlicensed PCS use in the United States and licence-exempt PCS use in Canada) for fixed point-to-point shall be avoided after the effective date of this Arrangement.

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<sup>1</sup> Exchange of notes at Ottawa, October 24, 1962. Entered into force October 24, 1962. see 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, Canada, June 16 and 24, 1965. Entered into force June 24, 1965. USA: TIAS 5833/CAN: CTS 1962 No. 15, as amended June 24, 1965.

#### 4. *Coordination with Fixed Microwave*

- 4.1 Both Administrations agree that the provision of any new PCS or other similar type services shall be on the basis that harmful interference is not caused to existing fixed point-to-point operations authorized by the other Administration.
- 4.2 Both Administrations agree to require coordination of all PCS systems located within 120 km (75 miles) of the border. Such coordination shall be based on:
  - A technical analysis that interference is not caused to existing microwave operations of the other Administration. The analysis shall be based on recognized industry procedures such as TIA/EIA Telecommunications Systems Bulletin (TSB10-F), "Interference Criteria for Microwave Systems";
  - or,
  - Alternatively, a mutually acceptable arrangement between the applicant/operator of the PCS facility and any affected fixed microwave operators.
- 4.3 In the event that there is interference from any PCS operation located beyond 120 km (75 miles) from the border, both Administrations agree to take appropriate steps to resolve such interference.

#### 5. *Coordination between Licensed PCS Operations*

- 5.1 Both Administrations agree that the following or a similar clause should appear on all authorization documents for PCS base station facilities within 72 km (45 miles) of the border:

"This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries."
- 5.2 Both Administrations agree that the predicted or measured median field strength of any PCS base station shall not exceed 47 dB $\mu$ V/m at any location at or beyond the United States/Canada border unless the affected PCS operators in adjacent areas agree to a higher value and the Administrations agree.

5.3 Both Administrations agree that compatible independent operation of PCS systems on either side of the border will be best assured through coordination of pertinent system operating and technical parameters by the PCS system operators. PCS systems operators shall carry out such coordination and the FCC and Industry Canada shall be notified of any arrangements agreed to, or in the event that a satisfactory arrangement is not reached. In any case, the arrangements reached by the operators will be subject to review by the Administrations.