

(j) Thermal noise power. The noise power in watts defined by the formula  $N=kTB$  where  $N$  is the noise power in watts,  $k$  is Boltzmann's constant,  $T$  is the absolute temperature in degrees Kelvin (e.g., 295° K) and  $B$  is the emission bandwidth of the device in hertz.

(k) Time window. An interval of time in which transmission is desired.

Section 15.305 Equipment authorization requirement.

PCS devices operating under this subpart shall be certificated by the Commission under the procedures in Subpart J of Part 2 of this Chapter before marketing. The application for certification must contain sufficient information to demonstrate compliance with the requirements of this subpart.

Section 15.307 Coordination with fixed microwave service.

(a) UTAM, Inc., is designated to coordinate and manage the transition of the 1910-1930 MHz band from Private Operational-Fixed Microwave Service (OFS) operating under Part 94 of this Chapter to unlicensed PCS operations, conditioned upon submittal to and acceptance by the Commission of:

(1) A funding plan that is equitable to all prospective manufacturers of unlicensed PCS devices; and

(2) A plan for "band clearing" that will permit the implementation of noncoordinatable (nomadic) devices and, in particular, noncoordinatable data PCS devices, as promptly as possible. The responsibilities of UTAM, Inc. include, but are not limited to, relocation of existing OFS microwave stations pursuant to requirements established in ET Docket No. 92-9, negotiating costs of relocation, ensuring that comparable facilities are provided, and resolving any disputes of interference to OFS microwave operations from unlicensed PCS operations. These responsibilities shall terminate upon a determination by the Commission that interference to OFS microwave operations from unlicensed PCS operations is no longer a concern.

(b) Each application for certification of equipment operating under the provisions of this Subpart must be accompanied by an affidavit from UTAM, Inc. certifying that the applicant is a participating member of UTAM, Inc. In the event a grantee fails to fulfill the obligations attendant to participation in UTAM, Inc., the Commission may invoke administrative sanctions as necessary to preclude continued marketing and installation of devices covered by the grant of certification, including but not limited to revoking certification.

(c) An application for certification of a PCS device that is deemed by UTAM, Inc. to be noncoordinatable will not be accepted until the Commission announces that a need for coordination no longer exists. [This was announced by Public Notice, DA 05-1005, April 4, 2005.]

(d) A coordinatable PCS device is required to incorporate means that ensure that it cannot be activated until its location has been coordinated by UTAM, Inc. The application for certification shall contain an explanation of all measures taken to prevent unauthorized operation. This explanation shall