

11/12/2008

**SUBJ: SPECTRUM MANAGEMENT REGULATIONS AND PROCEDURES MANUAL**

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**1. Purpose.** Correct the identification of frequency bands which require a proponent building or modifying a facility to file a notice under Federal Air Regulation (FAR) Part 77, to ensure there are no obstacles or radio transmission hazards to aviation.

**2. Audience.** FAA spectrum management officers.

**3. Where can I Find This Order.** You can find this order on the Directives Management System (DMS) website: [https://employees.faa.gov/tools\\_resources/orders\\_notices/](https://employees.faa.gov/tools_resources/orders_notices/).

**4. Explanation of Changes.** In Chapter 8 (Airspace Evaluation), Paragraph 801c, sub-item (1), a number of frequency bands have been eliminated, thus correcting the information provided in FAA Order 6050.32B and making the information consistent with the recent revision of FAR Part 77.

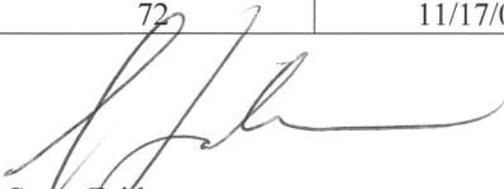
There will be no air traffic system functional or operational changes resulting from this action.

While the changes only occur on Page 71, Page 72 is also included in the change, since these two pages (71 and 72) are printed back-to-back on the same page.

**5. Disposition of Transmittal.** Retain this transmittal.

## PAGE CONTROL CHART

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## CHAPTER 8. AIRSPACE EVALUATION

**800. GENERAL.** The FAA conducts aeronautical studies of objects affecting navigable airspace. Obstacle Evaluation Services (within Air Traffic Organization System Operations Services) personnel administer the Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) program with the coordinated assistance of Airports, Technical Operations Services (including Aviation System Standards), Military, and Flight Standards (FS) personnel. The guidelines, procedures and standards as to what constitutes an obstruction and requires notice to the FAA are established by Title 14, Code of Federal Regulations (CFR) Part 77.

**801. PART 77.** Part 77 establishes the standards for determining obstructions in navigable airspace. It also outlines the procedures for providing notification requirements to the FAA Administrator of proposed construction or alteration to man-made structures affecting the National Airspace System (NAS). Aeronautical evaluations are conducted to determine the effect of the construction on flight procedures, airport surfaces, and communication, radio-navigational aids and/or surveillance facilities. Procedures for petitioning an FAA determination on a study is addressed in Part 77, which may include public hearings on the effect of the proposed construction on air navigation.

**a. The authority to conduct** aeronautical studies of objects affecting navigable airspace is delegated to the service area offices. The program is administered by service area Obstacle Evaluation Services personnel. The FMO shall evaluate the aeronautical effect from electromagnetic radiation and possible interference, including physical obstructions to both ground facilities and aircraft. The results of this evaluation will be submitted to Obstacle Evaluation Services. Similar studies shall be conducted by Enroute and Oceanic Services, Terminal Services, Airports, FS, Military, Technical Operations Aviation System Standards, and other Technical Operations organizations. The compilation of each division's responses to the study, plus any public comment, will be coordinated into the final determination by Air Traffic Organization System Operations Services.

**b. Part 77** requires that sponsors of construction or alteration to man-made structures file notice with the FAA if their projects meet or exceed the criteria contained in Part 77.

**c. Public Law 100-223, Section 206** states that man-made structures being investigated under Part 77 should be considered as obstacles to the NAS if they could cause interference to CNS systems. Accordingly, the following notice requirements should also be adhered to by a proponent and requires the proponent to file a notice with the FAA.

**(1) Construction of new or modification of an existing facility**, i.e., building, antenna structure, or any other manmade structure, which supports a radiating element(s) for the purpose of radio frequency transmission operating in the VHF-TV or FM broadcast frequency bands (54-108 MHz and 174-216 MHz).

(2) **Any changes or modifications** to radio frequency systems, when specified in the original FAA determination, including:

(a) **Change in the authorized frequency.**

(b) **Addition of new frequencies.**

(c) **Increase in effective radiated power (ERP)** equal to or greater than 3 decibels (db).

(d) **Modification of radiating elements** such as:

**1. Antenna mounting location(s)** if increased 100 feet or more, irrespective of whether the overall height is increased.

**2. Changes in antenna specifications** (including gain, beam-width, polarization, pattern).

**3. Change in antenna azimuth/bearing (if directional antenna).**

**802. Title 49, Section 44718.** By regulation or order when necessary, the Secretary of Transportation shall require a person to give adequate public notice, in the form and way the Secretary prescribes, of the construction of any structure or landfill that may result in an obstruction of the navigable airspace or an interference with air navigation facilities and equipment or navigable airspace. An aeronautical study shall be conducted to determine the extent of the adverse impact, if any, on the safe and efficient use of such airspace, facilities or equipment. It also provides for aeronautical studies regarding an existing object. The service area FMO shall evaluate these cases for hazardous electromagnetic effect in the same manner described in paragraph 801a. Aeronautical studies will be handled directly with the proponent by System Operations Services, who will keep Technical Operations ATC Spectrum Engineering Services informed of all action.

**803. INTRANET OBSTRUCTION EVALUATION/AIRPORT AIRSPACE ANALYSIS (iOE/AAA) WEB-BASED SYSTEM.** The iOE/AAA is a national, web-enabled application that allows data sharing, and communication between and among FAA service areas and employees. The iOE/AAA system replaces the previous procedure in determining the potential effects of various types of man-made structures in the NAS. Commercial and/or government entities submit construction plans to the FAA regarding new or existing structures obstructions. Obstruction Evaluation Services personnel will then input the data into the iOE/AAA system to evaluate the potential effects to the NAS, based on criteria indicated in FAA Order 7400.2 (“Procedures for Handling Airspace Matters”). FMOs shall use the iOE/AAA system to track each case study which is routed to them through the system, and will provide an EMI and obstruction analysis response in a timely manner.

**804. WASHINGTON HEADQUARTERS REVIEWS.** The sponsor of any proposed construction or alteration, or any person who stated a substantive aeronautical comment on a proposal in an aeronautical study, may petition the Administrator for a discretionary review of a determination, revision or extension of a determination issued by the service area Obstacle Evaluation Services organization. The authority to grant a review is delegated to System Operations Services. Such petitions are processed and coordinated by the Airspace and Rules Division within System Operations Services. Once granted, discretionary review is conducted by the various Washington Headquarters services in the same manner as the original service area evaluation. Based upon review, analysis and evaluation of the service area’s report of the aeronautical study, briefs, and related submissions by any interested party, the Airspace and Rules Division within System Operations Services prepares a notice affirming, revising, or reversing the original determination for the signature of the Vice-President for System Operations Services.