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Spectrum Management and Telecommunications

Client Procedures Circular

Cross-Border Communication for Public Safety Licensees

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1. Principle

The Minister, through the [Department of Industry Act](#), the [Radiocommunication Act](#) and the [Radiocommunication Regulations](#), with due regard to the objectives of the [Telecommunications Act](#), is responsible for spectrum management in Canada. As such, the Minister oversees the development of national policies and goals for spectrum resource use and ensures effective management of the radio frequency spectrum.

2. Intent

This document provides public safety licensees with information and advice regarding the operation of radio stations in the Canada-United States (US) border area, with particular attention to operations that span the border or stations that cross the border from one country to the other.

3. Mandate

Under subparagraph 5(1)(a)(i) of the [Radiocommunication Act](#), the Minister may issue radio licences in respect of radio apparatus. The Minister may fix the terms and conditions of any such licence, including terms and conditions as to the services that may be provided by the holder.

4. Related Documents

Technical Bulletin TB-08, [Compendium of Inoperability Voice/Data Channels That Can Be Used Nationwide in Canada and for Canada-United States Interoperability Operations](#).

Radiocom Information Circular RIC-66, [Addresses and Telephone Numbers of Regional and District Offices](#).

Radio Systems Policy RP-25, [Policy Principles for Public Safety Radio Interoperability](#).

[Statement of Intent of the Federal Communications Commission of the United States of America and the Department of Industry of Canada Related to the Cross-Border Operation of Portable Radios by Public Safety Agencies Along the United States-Canada Border](#).

5. Definitions

Fixed station: radio station authorized to operate at a fixed point.

Base station: fixed station for communicating directly with a mobile or via a repeater.

Base station repeater: fixed station retransmitting communication from a base station or mobile.

6. Background

Public safety agencies have indicated to Innovation, Science and Economic Development Canada (ISED) that regulations are unclear with respect to the operation and licensing of the following:

- radio stations situated near the border as part of a cross border link;
- stations situated in the US; and
- mobile stations in operation while crossing the border.

These agencies have asked ISED to provide guidance and clarification in this regard.

ISED has worked with the Federal Communications Commission (FCC) of the United States to provide clarification with respect to the international agreements or licensing procedures associated with various operational scenarios. In support of this, ISED has concluded the [*Statement of Intent of the Federal Communications Commission of the United States of America and the Department of Industry of Canada Related to the Cross-Border Operation of Portable Radios by Public Safety Agencies along the United States-Canada Border*](#) (Statement of Intent) with the FCC permitting Canadian and US public safety licensees to cross the border and operate their licensed (hand-held) portable radios. Article II of the 1952 [*Convention between Canada and the United States of America Relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations in the Other Country*](#) permits certain cross-border communications by mobile radio stations installed in public safety vehicles. However, it does not provide any information regarding the operation of hand-held portable equipment. ISED, through the Statement of Intent, extended this provision to authorize licensed public safety agencies and entities to operate portable units not necessarily installed in vehicles.

7. Policy

As noted in [*SPFC — Spectrum Policy Framework for Canada*](#), ISED is guided by the policy objective to maximize the economic and social benefits that Canadians derive from the use of the radio frequency spectrum resource. In managing the spectrum resource, the relevant enabling guidelines are as follows:

- Regulatory measures, where required, should be minimally intrusive, efficient and effective;
- Spectrum management practices, including licensing methods, should minimize administrative burden and be responsive to changing technologies and market place demands; and
- Spectrum policy and management should support the efficient functioning of markets by clearly defining the obligations and privileges conveyed in spectrum authorizations.

ISED, within its mandate, will continue to help advance the goals laid out in [*Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*](#), a long-term partnership with the United States that was launched in 2011. As such, the Department is committed to helping emergency

responders from Canada, including police officers, firefighters and paramedics, enhance the safety of citizens living along the Canada–US border.

8. Procedures

8.1 Radiocommunication Operations in the Other Country

ISED and the FCC authorize the operation of Canadian and US licensed public safety mobiles and portables temporarily while in the other country. Such operation could be on the frequency authorized for use by the licensee's licensing agency or on the frequency of the public safety licensee where operations are carried out. (See Scenario 1 described below.)

ISED and the FCC reviewed domestic regulations and international agreements to determine the permissibility of public safety licensees communicating through a fixed station on the opposite side of the border, either with their mobiles situated in the other country or those situated in their own country. They concluded that no regulations or international agreements prohibit such sharing or use of facilities. (See scenarios 2 and 3 described below.)

8.2 Cross-Border Communication Scenarios

Scenario 1: public safety licensees operating their own mobile and/or hand-held portable radios on the opposite side of the border.

Scenario 2: public safety licensees using base station repeaters on the opposite side of the border to communicate with public safety licensees in the other country.

Scenario 3: public safety licensees using base station repeaters on the opposite side of the border to communicate with public safety licensees of their own country.

Refer to Annex A for a description of each of these scenarios.

9. Licence Requirements

9.1 Mobile and Portable Operations – Scenario 1

The operation of mobile and/or hand-held portable radio transceivers on the opposite side of the border by Canadian or US public safety licensees do not require additional authorization because they are already covered under the Statement of Intent. However, Canadian and US public safety licensees must be properly licensed in their own country. Operations are on a no-interference, no-protection basis.

9.2 Fixed Station Operations – Scenarios 2 and 3

Public safety licensees may communicate through a fixed station located in the other country, under the following conditions:

- (a) The fixed station is licensed in the country in which it is located.
- (b) The host licensee¹ maintains control and is responsible for its operation at all times.
- (c) Any user seeking to communicate with a fixed station in the other country obtains consent from its licensee prior to using it.
- (d) Any equipment communicating with a fixed station in the other country is properly licensed in its own country.
- (e) Canadian stations communicating with a base station repeater in the US may only do so if the host licensee is properly licensed in the US. A licence condition must also be included on the Canadian licence. (Refer to Section 9.6, [Licence Conditions](#).)

Once these conditions are met, the Canadian licensee may use the base station repeater in the US to communicate with licensees in the US (Scenario 2) or licensees in Canada (Scenario 3).

9.3 Coordination of VHF and UHF Frequency Bands

For the three scenarios described above, all frequencies requested for the VHF or UHF frequency bands must be coordinated if they meet one of the following criteria:

- (a) assignments in the 30-174 MHz and 450-470 MHz bands which are within the coordination zone and proposing to operate at an effective radiated power (ERP) greater than five (5) watts; or,
- (b) proposing to operate at an effective radiated power (ERP) of less than five (5) watts, but where protection from future US assignments is desired.

US coordination is typically not required for applicants seeking to license interoperability channels in the 700 MHz (narrowband) or 800 MHz bands.² Public safety licensees may operate on channels

¹ For example, Canadian license holder on behalf of the US public safety agency user / US license holder on behalf of a Canadian public safety agency user.

² See Arrangement F, [Sharing Arrangement Between the Department of Industry of Canada and the Federal Communications Commission of the United States of America Concerning the Use of the Frequency Bands 806-824 MHz, and 851-869 MHz by the Land Mobile Service Along the Canada-United States Border](#) (August 2011);

Arrangement Q, [Sharing Arrangement Between the Department of Industry of Canada and the Federal Communications Commission of the United States of America Concerning the Use of the Frequency Bands 768-776 MHz and 798-806 MHz by the Land Mobile Service Along the Canada-United States Border](#) (May 2013).

designated as primary to Canada in these frequency bands, provided they meet the requirements outlined in [Arrangement F](#) and [Arrangement Q](#) respectively.

Public safety licensees may operate mutual aid and interoperability channels to communicate along the border with licensees in their own country or across the border to interoperate with licensees on the opposite side of the border.³

9.4 Canadian Applicants Intending to Communicate via a Fixed Station in the US

Applicants seeking to license new stations or modify existing operating parameters under scenarios 2 and 3 can significantly reduce licensing delays by including with their application a description of how they intend to interoperate with counterpart licensees in the opposite country, including copies of any written agreements with the licensees. ISED staff will include this information as part of an information exchange for coordinating purposes. Licence applications can be submitted to your closest ISED spectrum management office.⁴

9.5 US Applicants Intending to Communicate via a Fixed Station Repeater in Canada

For US applicants who intend to communicate via fixed station repeaters in Canada, refer to the FCC Public Notice “*Public Safety and Homeland Security Bureau Provides Guidance to US Public Safety Agencies Along the Canada Border Seeking to Roam Into Canada or Improve Cross-Border Communications Via Base Station Repeaters*”.

9.6 Licence Conditions

The Canadian host licensee will have a licence condition indicating the frequency or frequencies and the name of the US licensee(s) authorized on their station licence for cross-border operation.

Example 1: This licence authorizes [name of the US licensee] to communicate on the frequency [MHz] for cross-border operation in accordance with Client Procedures Circular CPC-2-1-29.

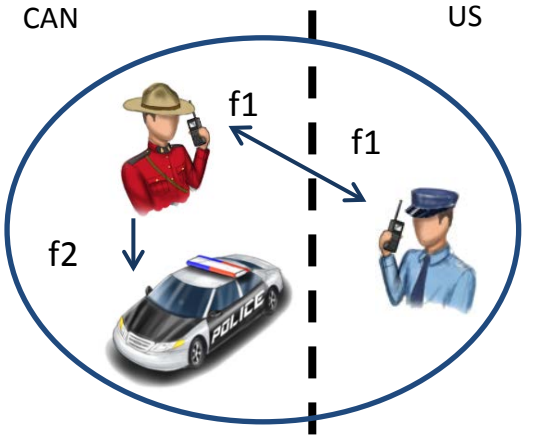
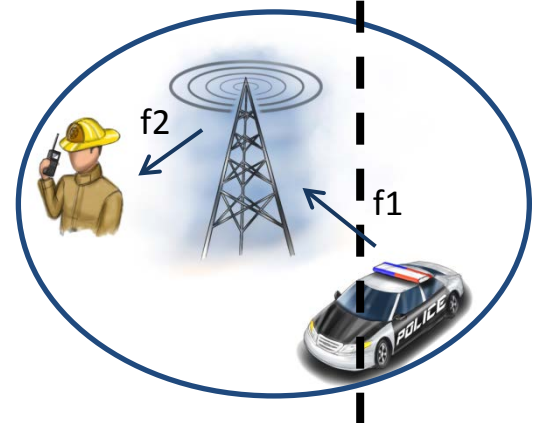
In examples 3, 4 and 6 described in Annex A, a condition at the frequency level that refers to the US base station repeater with which it communicates must be added to the Canadian mobile licences.

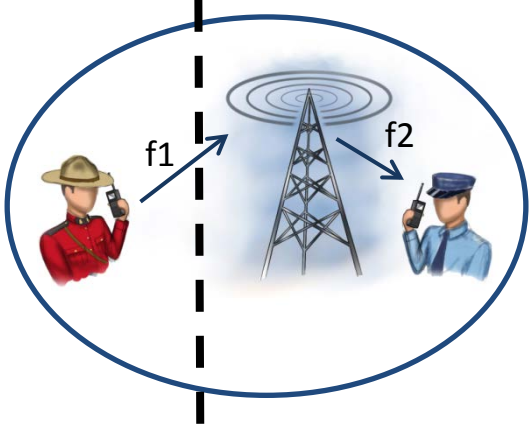
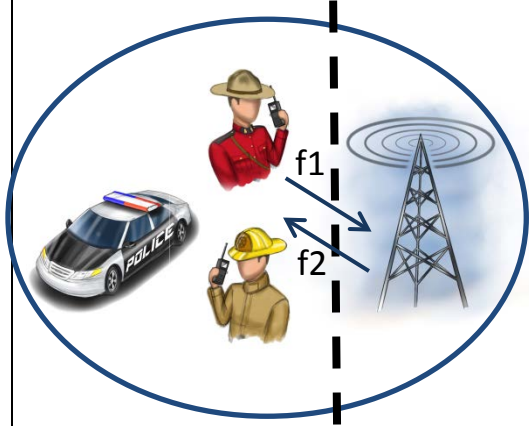
Example 2: This mobile station is authorized to communicate with the US base station repeater [(i.e. location/callsign/coser)].

³ Interoperability channels are to be used only for coordination of tactical communications or for similar emergency communications between or among public safety agencies. See [Arrangement F](#) at § 3.2.3, n° 1; [Arrangement Q](#) at § 3.2.4, n° 2.

⁴ A list of spectrum management offices is provided in Radiocom Information Circular RIC-66, [Addresses and Telephone Numbers of Regional and District Offices](#).

Annex A — Examples of Cross-Border Communication

	Licence Requirements	Examples	Visual Description
1.	<p>All licensees must be properly licensed in their home country for frequencies on which they transmit.</p> <p>A copy of the written agreement between the agencies is required prior to adding the frequencies to the mobile licences.</p>	<p>Use of mobiles (including portables) over a direct radio frequency path to interoperate with a public safety licensee in the other country.</p> <p><u>Example:</u></p> <p>Canadian public safety licensee using a mobile in Canada to communicate directly with a US public safety licensee. Both agencies communicate from their home country.</p>	
2.	<p>The base stations, mobiles and portables must be properly licensed in their home country.</p> <p>Operation is pursuant to 1952 treaty and the Statement of Intent.</p>	<p>Use of mobile stations (installed in vehicles or portables) originating in one country and operating in the other country on a temporary basis.</p> <p>Scenario 1</p> <p><u>Example:</u></p> <p>Canadian public safety licensee crosses the border in pursuit of a suspect and wishes to continue communicating with its own base station or associated mobiles located in Canada.</p>	

Licence Requirements	Examples	Visual Description
<p>3.</p> <p>All licensees must be properly licensed in their home country for frequencies on which they transmit.</p> <p>The host licensee maintains control and is responsible for the base station repeater operation at all times.</p> <p>The user seeking to communicate with the base station repeater in the other country must obtain consent from its licensee prior to using it.</p> <p>The mobile licences must have the frequencies of the base station repeater that is located in the other country and a frequency condition referring to the base station repeater (i.e. location/callsign/cosser).</p> <p>If the host licensee is a Canadian licensee, it must have a licence condition indicating the frequencies and the name of the agency from the other country that is authorized to use their base station repeater.</p>	<p>Use of a base station repeater in the other country to interoperate with public safety licensee in other country.</p> <p>Scenario 2</p> <p><u>Example:</u></p> <p>Canadian public safety licensee using a base station repeater in US to provide support to a US public safety licensee pursuing a suspect in the US.</p>	<p>CAN US</p> 
<p>4.</p> <p>All licensees must be properly licensed in their home country for frequencies on which they transmit.</p> <p>The host licensee maintains control and is responsible for the base station repeater operation at all times.</p> <p>The user seeking to communicate with the base station repeater in the other country must obtain consent from its licensee prior to using it.</p> <p>The mobile licences must have the frequencies of the base station repeater that is located in the other country and a frequency condition referring to the base station repeater licence (i.e. location/callsign/cosser).</p> <p>If the host licensee is a Canadian licensee, it must have a licence condition indicating the frequencies and the name of the agency from the other country that is authorized to use their base station repeater.</p>	<p>Use of a base station repeater located on the opposite side of the border to communicate with a public safety licensee (base, mobile or portable) located on their own side of the border.</p> <p>Scenario 3</p> <p><u>Example:</u></p> <p>Canadian Public Safety licensee using a base station repeater located in the US to communicate with Canadian public safety licensees located in Canada.</p>	<p>CAN US</p> 

<p>5.</p>	<p>All licensees must be properly licensed in their home country for frequencies on which they transmit.</p> <p>The host licensee maintains control and is responsible for the base station repeater operation at all times.</p> <p>The user seeking to communicate with the base station repeater in the other country must obtain consent from its licensee prior to using it.</p> <p>In this example, the Canadian licensee (host licensee) will need to hold a licence for its base station repeater operating on frequency f2 even if it is using an interoperability or mutual aid frequency from the 700 MHz and 800 MHz bands.</p>	<p>Use of a base station repeater by public safety licensee on the opposite side of the border to communicate with public safety licensees on both sides of the border.</p> <p>Combination of scenarios 2 and 3</p> <p><u>Example:</u></p> <p>US public safety licensees using a base station repeater in Canada to coordinate a search and rescue mission with licensees on both sides of the border.</p>	
<p>6.</p>	<p>All licensees must be properly licensed in their home country for frequencies on which they transmit.</p> <p>The host licensee maintains control and is responsible for the base station repeater operation at all times.</p> <p>The user seeking to communicate with the base station repeater in the other country must obtain consent from its licensee prior to using it.</p> <p>The mobile licences must have the frequencies of the base station repeater that is located in the other country and a frequency condition referring to the base station repeater licence. (i.e. location/callsign/coser).</p> <p>If the host licensee is a Canadian licensee, it must have a licence condition indicating the frequencies and the name of the agency from the other country that is authorized to use their base station repeater.</p>	<p>Use of a base station on one side of the border to communicate via base station repeater on the opposite side of the border with public safety licensees located on both sides of the border.</p> <p>Combination of scenarios 2 and 3</p> <p><u>Example:</u></p> <p>A Canadian dispatcher communicates via a control station (FX1) with a base station repeater in the US in order to interoperate with public safety licensees on both sides of the border.</p>	

Note: f1 and f2 refer to frequency 1 and frequency 2 respectively.