

No. 42924. United States of America and Mexico

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED MEXICAN STATES CONCERNING THE ALLOCATION AND USE OF FREQUENCY BANDS BY TERRESTRIAL NON-BROADCASTING RADIOCOMMUNICATION SERVICES ALONG THE COMMON BORDER. WILLIAMSBURG, 16 JUNE 1994 [*United Nations, Treaty Series*, vol. 2379, I-42924.]

PROTOCOL BETWEEN THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA AND THE SECRETARÍA DE COMUNICACIONES Y TRANSPORTES OF THE UNITED MEXICAN STATES CONCERNING THE ALLOTMENT AND USE OF THE 380-399.9 MHZ BAND FOR FIXED AND MOBILE TERRESTRIAL NON-BROADCASTING SERVICES ALONG THE COMMON BORDER (WITH APPENDICES). MEXICO CITY, 27 JULY 2005*

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Nº 42924. États-Unis d'Amérique et Mexique

ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DES ÉTATS-UNIS DU MEXIQUE RELATIF À L'ATTRIBUTION ET À L'UTILISATION DES BANDES DE FRÉQUENCE PAR LES SERVICES DE RADIOCOMMUNICATIONS TERRESTRES NON COMMERCIALISÉS LE LONG DE LA FRONTIÈRE COMMUNE. WILLIAMSBURG, 16 JUIN 1994 [*Nations Unies, Recueil des Traités*, vol. 2379, I-42924.]

PROTOCOLE ENTRE LE DÉPARTEMENT D'ÉTAT DES ÉTATS-UNIS D'AMÉRIQUE ET LE SECRÉTARIAT DES COMMUNICATIONS ET DES TRANSPORTS DES ÉTATS-UNIS DU MEXIQUE RELATIF À L'ATTRIBUTION ET À L'UTILISATION DES BANDES DE FRÉQUENCE 380-399.9 MHZ POUR LES SERVICES FIXES ET MOBILES DE RADIOCOMMUNICATIONS TERRESTRES NON COMMERCIALISÉS LE LONG DE LA FRONTIÈRE COMMUNE (AVEC APPENDICES). MEXICO, 27 JUILLET 2005*

Entrée en vigueur : 27 juillet 2005 par signature, conformément à l'article VI

Textes authentiques : anglais et espagnol

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[ENGLISH TEXT – TEXTE ANGLAIS]

**PROTOCOL
BETWEEN THE DEPARTMENT OF STATE
OF THE UNITED STATES OF AMERICA
AND THE SECRETARIA DE COMUNICACIONES Y TRANSPORTES
OF THE UNITED MEXICAN STATES
CONCERNING THE ALLOTMENT AND USE OF THE 380-399.9 MHz BAND
FOR FIXED AND MOBILE
TERRESTRIAL NON-BROADCASTING SERVICES
ALONG THE COMMON BORDER**

This Protocol is being concluded on an interim basis pursuant to the Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Allocation and Use of Frequency Bands by Terrestrial Non-Broadcasting Radiocommunication Services Along the Common Border signed in Williamsburg, Virginia June 16, 1994, (herein referred to as the “Agreement”).

ARTICLE I. Purposes

1. The purposes of this Protocol are:

a. To establish and adopt a plan for the equitable allotment on an interim basis of the frequency sub-bands in the 380-399.9 MHz band within the Sharing Zone defined in this Protocol; and

b. To allow for new assignments in frequency sub-bands allotted as primary for each Administration in the 380-399.9 MHz band within the Sharing Zone defined in this Protocol on an interim basis until a more complete protocol governing both new assignments and existing stations can be negotiated and concluded.

2. This Protocol does not apply to existing stations for fixed and mobile services in the 380-399.9 MHz band within the Sharing Zone defined in this Protocol.

ARTICLE II. Definitions

1. For the purpose of this Protocol and as provided for in Article IV of the Agreement, the term Administration or Administrations will refer with equal effect to the National Telecommunications and Information Administration of the Department of Commerce United States of America (hereinafter United States) and to the Secretaría de Comunicaciones y Transportes of the United Mexican States (hereinafter Mexico).

2. The Sharing Zone is defined to include the border areas within the United States and Mexico and their respective territorial waters as set forth in Appendix I.

ARTICLE III. Restriction on Use of Mobile Satellite Service

Neither Administration shall introduce the mobile satellite service into the sub-bands allotted for the primary use of the other Party within the Sharing Zone defined herein.

ARTICLE IV. Conditions of Use

1. Within the Sharing Zone, the radio frequency sub-bands in the 380-399.9 MHz band shall be allotted for the primary use of each Administration in accordance with Appendix II. Each Administration shall ensure that new assignments made on or after the date that this Protocol enters into force are operated in such a way that the transmission bandwidth shall not exceed the primary frequency allotments in Appendix II.

2. Each Administration shall ensure that fixed and mobile stations assigned to primary frequency allotments within the Sharing Zone shall be operated on an interim basis in accordance with the effective radiated power (ERP) and antenna height limitations specified in the following table (Table I):

Table I

Average of the Antenna Height Above Average Terrain on Standard Radials in the Direction Of the Common Border ¹	Maximum ERP in Any Direction Toward the Common Border	
Meters	Watts	dBm
Up to 150	500	+56.98
Above 150 to 225	350	+55.44
Above 225 to 300	250	+53.98
Above 300 to 450	200	+53.01
Above 450 to 600	150	+51.76
Above 600 to 750	100	+50.00
Above 750 to 900	75	+48.75
Above 900 to 1,050	50	+46.98
Above 1,050	30	+44.77

ARTICLE V. Appendices

Appendices I and II are an integral part of this Protocol.

¹ Standard radials are 000°, 045°, 090°, 135°, 180°, 225°, 270° and 315° relative to True North