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

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

ARTICLE VI. Entry into Force and Termination

This Protocol shall enter into force on the date of signature. It shall remain in force until it is replaced by a Protocol governing both new assignments and existing stations, or until it is terminated in accordance with Article VII of the Agreement.

IN WITNESS WHEREOF, the respective representatives have signed the present Protocol.

Done at Mexico City this twenty-seventh day of July, 2005, in duplicate, in the English and Spanish languages, both texts being equally authentic.

FOR THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA

FOR THE SECRETARÍA DE COMUNICACIONES Y TRANSPORTES OF THE UNITED MEXICAN STATES

APPENDIX I

Areas Within Which the Frequencies Are to Be Protected

U.S.-MEXICO SHARING ZONE

The Sharing Zone is defined on an interim basis as the area covered by a distance of 145 kilometers (90.1 miles) from the U.S.-Mexico common border into the national territory of each country and includes areas of the Pacific Ocean and the Gulf of Mexico.

These areas are enclosed by the boundaries shown on the map to the right and are further defined in Table II.

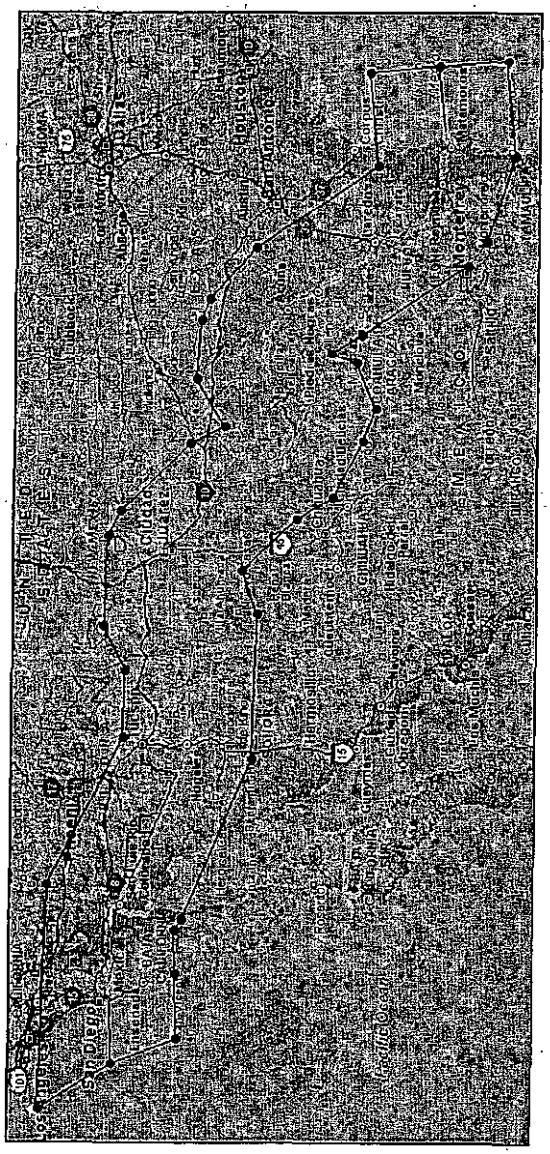

Table II

The following geographic coordinates define the U.S.-Mexico Sharing Zone on an interim basis in the national territory of each country. Point 1 is located in the Pacific Ocean due west from the U.S.-Mexico common border and is the starting point in defining the Sharing Zone. The boundary of the Sharing Zone is then defined by plotting each geographic point in advancing numerical order in a clockwise direction. Each distance path between consecutive points is traversed by great circle arc.

No.	Degrees/Minutes/Seconds	Decimal Degrees
1	32^0 14'16"N 118^{0}37'09"W	32.3772N 118.6192W
2	33^{0}44'18"N 119^{0}58'13"W	33.7384N 119.9704W
3	34^{0}00'16"N 114^{0}28'01"W	34.0044N 114.4670W
4	32^{0}37'24"N 110^{0}51'01"W	32.6234N 110.8505W
5	32^{0}38'60"N 109^{0}18'02"W	32.6500N 109.3006W
6	33^{0}05'47"N 108^{0}15'42"W	33.0965N 108.2617W
7	33^{0}01'27"N 106^{0}06'30"W	33.0242N 106.1083W
8	32^{0}46'33"N 105^{0}30'38"W	32.7757N 105.5105W
9	31^{0}21'30"N 103^{0}55'51"W	31.3584N 103.9309W
10	30^{0}39'31"N 103^{0}34'01"W	30.6587N 103.5670W
11	31^{0}11'40"N 102^{0}26'12"W	31.1945N 102.4368W
12	31^{0}02'47"N 101^{0}04'18"W	31.0465N 101.0717W
13	30^{0}51'19"N 100^{0}36'43"W	30.8553N 100.6120W
14	29^{0}54'03"N 099^{0}28'55"W	29.9007N 099.4820W
15	27^{0}21'20"N 097^{0}48'03"W	27.3556N 097.8009W
16	27^{0}21'05"N 095^{0}42'14"W	27.3516N 095.7038W
17	25^{0}58'50"N 095^{0}42'22"W	25.9805N 095.7061W
18	24^{0}33'14"N 095^{0}42'46"W	24.5539N 095.7128W
19	24^{0}32'41"N 097^{0}48'44"W	24.5448N 097.8122W
20	25^{0}15'14"N 099^{0}40'56"W	25.2539N 099.6823W
21	25^{0}40'42"N 100^{0}10'59"W	25.6782N 100.1833W
22	27^{0}52'01"N 101^{0}35'16"W	27.8669N 101.5877W
23	28^{0}29'18"N 101^{0}57'45"W	28.4884N 101.9625W
24	27^{0}58'15"N 102^{0}11'48"W	27.9709N 102.1967W
25	27^{0}38'22"N 103^{0}16'32"W	27.6394N 103.2755W
26	27^{0}54'33"N 103^{0}59'11"W	27.9093N 103.9863W
27	28^{0}30'31"N 105^{0}15'57"W	28.5085N 105.2659W
28	29^{0}13'30"N 105^{0}45'37"W	29.2249N 105.7604W
29	30^{0}19'17"N 106^{0}57'15"W	30.3215N 106.9544W
30	30^{0}01'37"N 107^{0}56'47"W	30.0271N 107.9464W
31	30^{0}01'18"N 111^{0}15'28"W	30.0216N 111.2579W
32	31^{0}14'10"N 115^{0}05'28"W	31.2361N 115.0911W
33	31^{0}21'26"N 115^{0}20'31"W	31.3572N 115.3419W
34	31^{0}14'34"N 116^{0}21'25"W	31.2427N 116.3570W
35	31^{0}08'09"N 117^{0}53'38"W	31.1359N 117.8939W

APPENDIX II

Allotment of Frequency Sub-bands in the 380-399.9 MHz Band

Mexico Primary[2]	U.S. Primary[2]
380.0000 - 384.9500	384.9500 - 389.9500
389.9500 - 394.9500	394.9500 - 399.9000

[2] All frequencies in MHz