

Before the
Federal Communications Commission
Washington, D.C. 20554

)	
)	
In the Matter of)	
Service Rules for the 746-764 and 776-794 MHz)	WT Docket No. 99-168
Bands, and Revisions to Part 27 of the)	
Commission's Rules)	
)	

ERRATA

Adopted: September 13, 2000

Released: September 14, 2000

By the Chief, Policy Division, Wireless Telecommunications Bureau:

1. On January 7, 2000, the Commission issued the *First Report and Order* in the above-referenced proceeding.¹ The *First Report and Order* and implementing regulations in Section 27.6(b)(2) adopted Economic Area Groupings (EAGs) for licensing Blocks C and D of the 700 MHz spectrum, consisting of the 747-762 MHz and the 777-792 MHz bands. On March 9, 2000, the Commission issued the *Second Report and Order* in the above-referenced proceeding.² The *Second Report and Order* and implementing regulations in Section 27.6(b)(1) adopted Major Economic Areas (MEAs) for licensing Blocks A and B of the 700 MHz spectrum, consisting of the 746-747/776-777 MHz and the 762-764/792-794 MHz bands (the Guard Bands). Both EAGs and MEAs are based on the 172 Economic Areas (EAs) defined by the U.S. Department of Commerce, as modified by the Commission. The Commission noted this fact in both the *First Report and Order*³ and the *Second Report and Order*,⁴ and noted, further, in the *Second Report and Order*,⁵ that the geographic areas adopted for Blocks A and B parallel those previously adopted in Section 27.6 of the Commission's rules for licensing Blocks A and B of the 2305-2320 MHz and 2345-2360 MHz bands (Wireless Communications Services or WCS).

¹ Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules, WT Docket No. 99-168, *First Report and Order*, FCC 00-5 (rel. Jan. 7, 2000) (*First Report and Order*).

² Service Rules for the 746-764 and 776-794 MHz Bands and Revisions to Part 27 of the Commission's Rules, WT Docket No. 99-168, *Second Report and Order*, FCC 00-90 (rel. Mar. 9, 2000) (*Second Report and Order*).

³ *First Report and Order* at para. 54

⁴ *Second Report and Order* at para. 68.

⁵ *Id.*

2. Based on its decision to apply the existing licensing framework in Part 27 to the 746-764 MHz and 776-794 MHz bands,⁶ the Commission implemented its decision concerning geographic licensing areas for the 10 and 20 megahertz bands, in part, by incorporating by reference in new Section 27.6(b)(2) the *WCS Report and Order*.⁷ For the Guard Bands, a cross reference to the list of MEAs set forth for WCS in existing Section 27.6(a)(1) was included in new Section 27.6(b)(1). However, in both instances, the regulations did not clearly reflect the Commission's stated objective in both the *First Report and Order* and the *Second Report and Order* to base geographic areas for the 700 MHz band on the geographic area configurations identified in the chart of REAGs, MEAs and EAs originally established for WCS in Section 27.6. Specifically, the language in new Sections 27.6(b)(1) and 27.6(b)(2) inadvertently failed to make specific reference to the definitional criterion for the Gulf of Mexico EA presently set forth in Section 27.6(a)(2).⁸ Section 27.6(a)(2) states that "[t]he Gulf of Mexico EA extends from 12 nautical miles off the U.S. Gulf coast outward into the Gulf."

3. To be consistent with the Commission's stated intention in both the *First Report and Order* and the *Second Report and Order* to employ EAs, as modified by the Commission, in establishing geographic areas for Blocks A and B and C and D of the 700 MHz band, Section 27.6 is amended in paragraph (b)(1) by deleting the phrase "paragraph (a)(1)" and inserting the phrase "paragraphs (a)(1) and (a)(2)" in lieu thereof and is further amended in paragraph (b)(2) by inserting the phrase "paragraphs (a)(1) and (a)(2) of this section and" between the phrases "*See also*" and "62 FR 9636 (March 3, 1997)." Sections 27.6(b)(1) and 27.6(b)(2), as corrected, read as follows:

§ 27.6 Service areas.

* * * * *

(b) 746-764 MHz and 776-794 MHz bands.

(1) Service areas for Block A in the 746-747 and 776-777 MHz bands and Block B in the 762-764 and 792-794 MHz bands are based on Major Economic Areas (MEAs), as defined in paragraphs (a)(1) and (a)(2) of this section.

(2) Service areas for Blocks C and D in the 747-762 MHz and 777-792 MHz bands are based on Economic Area Groupings (EAGs) as defined by the Federal Communications Commission. *See* 62 FR 15978 (April 3, 1997) extended with the Gulf of Mexico. *See also* paragraphs (a)(1) and (a)(2) of this section and 62 FR 9636 (March 3, 1997), in which the Commission created an additional four economic area-like areas for a total of 176. Maps of the EAGs and the FEDERAL REGISTER Notice that established the 172 Economic Areas (EAs) are available for public inspection and copying at the Reference Center, Room CY A-257, 445 12th St., S.W., Washington, DC 20554. These maps and data are also available on the FCC website at www.fcc.gov/oet/info/maps/areas/.

⁶ *See First Report and Order* at para. 2.

⁷ In defining the perimeter of EA 176, the Gulf of Mexico, the Commission stated in the *WCS Report and Order* that "land-based license regions abutting the Gulf of Mexico will extend to the limit of the territorial waters of the United States in the Gulf, which is the maritime zone that extends approximately twelve nautical miles from the U.S. baseline. Beyond that line of demarcation we will create the Gulf of Mexico. . . ." *See* Amendment of the Commission's Rules to Establish Part 27, The Wireless Communications Service, GN Docket No. 96-228, *Report and Order*, 12 FCC Rcd 10,785, 10,816 (para. 59) (*WCS Report and Order*).

⁸ Previously 47 C.F.R. 27.6(b) (1999).

4. On June 30, 2000, the Commission issued a *Memorandum Opinion and Order and Further Notice of Proposed Rulemaking* in the above-referenced proceeding.⁹ In Appendix B, “Final Rules,” the authority citation for Part 27 erroneously omitted reference to Sections 336 and 337 of the Communications Act, as amended, 47 U.S.C. 336 and 337. The authority citation for Part 27 is hereby amended by adding citations to 47 U.S.C. 336 and 337, and reads as follows:

Authority: 47 U.S.C. 154, 301, 302, 303, 307, 309, 332, 336 and 337.

Kris Anne Monteith
Chief, Policy Division
Wireless Telecommunications Bureau

⁹ Service Rules for the 746-764 and 776-794 MHz Bands and Revisions to Part 27 of the Commission’s Rules, WT Docket No. 99-168, *Memorandum Opinion and Order and Further Notice of Proposed Rulemaking*, FCC 00-224 (rel. June 30, 2000) (*Memorandum Opinion and Order and Further Notice of Proposed Rulemaking*).