

Federal Communications Commission

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

In the Matter of)	
)	
Improving Public Safety Communications in the 800 MHz Band)	WT Docket 02-55
)	
Consolidating the 800 and 900 MHz Industrial/Land Transportation and Business Pool Channels)	
)	
Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems)	ET Docket No. 00-258
)	
Petition for Rule Making of the Wireless Information Networks Forum Concerning the Unlicensed Personal Communications Service)	RM-9498
)	
Petition for Rule Making of UT Starcom, Inc., Concerning the Unlicensed Personal Communications Service)	RM-10024
)	
Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for use by the Mobile Satellite Service)	ET Docket No. 95-18
)	

ERRATUM

Released: January 19, 2005

By the Deputy Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau:

1. On December 22, 2004, the Commission released a *Supplemental Order and Order on Reconsideration (Order)* in the above-captioned proceeding.¹ This Erratum corrects the following errors or omissions in the *Order*.

2. In footnote 140 we correct an erroneous reference to Business/Industrial Land Transportation (B/ILT) frequency coordinators. Footnote 140 should read as follows:

¹ See *Improving Public Safety Communications in the 800 MHz Band, WT Docket 02-55, Supplemental Order and Order on Reconsideration*, FCC 04-294, (Dec. 22, 2004).

¹⁴⁰ See 47 C.F.R. § 90.175. We clarify that only recognized Part 90 800 MHz public safety coordinators can coordinate frequencies in this pool.

3. In Appendix A, we resolve a conflict between the rule change adopted to Section 90.685(b)² in the *Order* and a rule change adopted to Section 90.685(b) in the Commission's *Rural Services* proceeding³ by changing the third sentence of said rule to conform to the changes adopted in the *Rural Services* proceeding. The third sentence is corrected to state that "EA-based licensees may, in the alternative, provide substantial service to their markets within five years of the grant of their initial license." Section 90.685(b) should read as follows:

§ 90.685 Authorization, construction and implementation of EA licenses.

(b) EA licensees in the 809–824/854–869 MHz band must, within three years of the grant of their initial license, construct and place into operation a sufficient number of base stations to provide coverage to at least one-third of the population of its EA-based service area. Further, each EA licensee must provide coverage to at least two-thirds of the population of the EA-based service area within five years of the grant of their initial license. EA-based licensees may, in the alternative, provide substantial service to their markets within five years of the grant of their initial license. Substantial service shall be defined as: "Service which is sound, favorable, and substantially above a level of mediocre service."

4. These errors or omissions will be corrected prior to publication of the *Supplemental Order and Order on Reconsideration*, WT Docket 02-55, FCC 04-294, in the Federal Register and the FCC Record.

² 47 C.F.R. § 90.685(b).

³ See Facilitating the Provision of Spectrum-Based Services to Rural Areas and Promoting Opportunities for Rural Telephone Companies to Provide Spectrum-Based Services, WT Docket No. 02-381, 2000 Biennial Regulatory Review Spectrum Aggregation Limits for Commercial Mobile Radio Services, WT Docket No. 01-14, Increasing Flexibility to Promote Access to and the Efficient and Intensive Use of Spectrum and the Widespread Deployment of Wireless Services, and to Facilitate Capital Formation, WT Docket No. 03-202, *Report and Order and Further Notice of Proposed Rulemaking*, 19 FCC Rcd 19078 (2004). See 69 FR 75143 (Dec. 15, 2004).

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5. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

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