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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

MAY 17 4 16 PM '94

In the Matter of)

Implementation of Section 309(j))
of the Communications Act -)
Competitive Bidding)

FILED BY

PP Docket No. 93-253 ✓

ERRATUM TO SECOND REPORT AND ORDER

Released: May 12, 1994

This Erratum makes minor corrections to the text of and the final rules adopted in the Second Report and Order in the above-captioned proceeding, FCC 94-61, which was released on April 20, 1994. A summary of the Second Report and Order, along with the rules, has been published in the Federal Register, 59 Fed. Reg. 22980 (May 4, 1994). The full text of the Second Report and Order and the rules will be published as corrected in the FCC Record.

1. Page 71, n. 138, of the Second Report and Order is corrected by replacing the reference to "n. 138" with a reference to "n. 137."

2. Section 1.2102(b)(4) of the Commission's Rules is corrected by replacing the notations "(a)" and "(b)" with "(i)" and "(ii)", respectively, to conform to Federal Register requirements.

3. Section 1.2103(a) of the Commission's Rules is corrected by deleting the second sentence to conform to Federal Register requirements. Thus, Section 1.2103(a) will read as follows:

§ 1.2103 Competitive Bidding Design Options

(a) The Commission will select the competitive bidding design(s) to be used in auctioning particular licenses or classes of licenses on a service-specific basis. The Commission will choose from one or more of the following types of auction designs for services or classes of services subject to competitive bidding:

- (1) Single round sealed bid auctions (either sequential or simultaneous)

- (2) Sequential oral auctions
- (3) Simultaneous multiple round auctions

4. Section 1.2105(a)(1) of the Commission's Rules is corrected by replacing the subparagraph designations "(a)" and "(b)" with "(i)" and "(ii)", respectively, to conform to Federal Register requirements.

5. Section 1.2110(b)(2) of the Commission's Rules is corrected to replace the second sentence with language to conform to the text of the Second Report and Order. Thus, Section 1.2110(b)(2) will read as follows:

§ 1.2110 Designated Entities

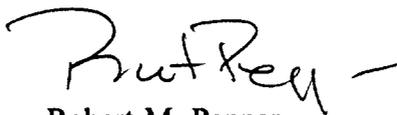
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(b) Definitions.

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(2) Businesses owned by members of minority groups and/or women. A business owned by members of minority groups and/or women is one in which minorities and/or women who are U.S. citizens have at least 50.1 percent equity ownership and 50.1 percent controlling interest in the applicant. For applicants that are limited partnerships, the general partner must be a minority and/or a woman who is a U.S. citizen (or an entity 100 percent owned by minorities and/or women who are U.S. citizens) that owns at least 50.1 percent of the partnership equity. The interests of minorities and women are to be calculated on a fully-diluted basis; agreements such as stock options and convertible debentures shall be considered to have a present effect on the power to control an entity and shall be treated as if the rights thereunder already have been fully exercised. However, upon a demonstration that options or conversion rights held by non-controlling principals will not deprive the minority and female principals of a substantial financial stake in the venture or impair their rights to control the designated entity, a designated entity may seek a waiver of the requirement that the equity of the minority and female principals must be calculated on a fully-diluted basis. The term minority includes individuals of African American, Hispanic-surnamed, American Eskimo, Aleut, American Indian and Asian American extraction.

FEDERAL COMMUNICATIONS COMMISSION



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