

Federal Communications Commission

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

FCC MAIL SECTION
AUG 18 4 01 PM '00

In the Matter of)
)
The Development of Operational,)
Technical and Spectrum Requirements)
For Meeting Federal, State and Local)
Public Safety Agency Communication)
Requirements Through the Year 2010)
)
Establishment of Rules and Requirements)
For Priority Access Service)

WT Docket No. 96-86

ERRATUM

Adopted: August 11, 2000

Released: August 11, 2000

By the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

1. On August 1, 2000 the Commission released a *Second Memorandum Opinion and Order*, FCC 00-264, entitled "In the Matter of the Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010; Establishment of Rules and Requirements For Priority Access Service." This erratum corrects several inadvertent omissions in that item regarding issues that have been deferred, and also corrects a typographical error.

2. Paragraph one is hereby corrected, adding a new sentence after sentence six, to read as follows (the listed bullets at the end of paragraph one are not affected by this change and are not reproduced herein:

On September 29, 1998, we established a band plan and adopted service rules in the public safety spectrum at 764-776 MHz and 794-806 MHz ("the 700 MHz band").¹ Seventeen parties filed petitions for reconsideration and/or clarification ("Petition(s)") of decisions contained in the *First Report and Order*.² On May 4, 1999, we resolved two petitions filed by the American National Standards Institute ("ANSI")

¹ The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communications Requirements Through the Year 2010, WT Docket No. 96-86, *First Report and Order and Third Notice of Proposed Rulemaking*, 14 FCC Rcd 152 (1998) (*recon. pending*) (referred to herein as "*First Report and Order*" or "*Third Notice*" as applicable). The issues contained in the *Third Notice* will be addressed in a separate document in this proceeding.

² In addition, fourteen parties filed oppositions to specific petitions and replies to the oppositions. A list of the parties, with their acronyms, that filed Petitions, Oppositions and Replies is contained in Appendix A.

and the Telecommunications Industry Association ("TIA").³ On February 25, 2000, the Public Safety National Coordination Committee (NCC) submitted its recommendations to the Commission for technical and operational standards for use of the 700 MHz band.⁴ We recognize that the NCC Recommendations pertain to matters that are the subject of some of the Petitions. Given that we anticipate seeking public comment on the substance of the NCC Recommendations, we will defer resolution of the reconsideration requests concerning digital standards in the 700 MHz band at this time. We also defer resolution of the various portions of the reconsideration requests that address the band plan for the 700 MHz band,⁵ and low power narrowband devices for on-scene communications.⁶ This *Second Memorandum Opinion and Order* ("*Second MO&O*") resolves those portions of the petitions that address our decisions in the *First Report and Order* on:

3. As a result of the addition of the sentence to paragraph one, the footnotes previously numbered 5 through 279 will now be numbered 7 through 281. Cross-references to these footnotes are correspondingly renumbered.

4. Additionally, paragraph 95 is hereby corrected to read as follows:

Accordingly, IT IS ORDERED pursuant to Sections 4(i) and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 405, and Section 1.429(i) of the Commission's Rules, 47 C.F.R. § 1.429(i) that the petitions for reconsideration and/or clarification filed by the American Association of State Highway and Transportation Officials, Forestry Conservation Communications Association, International Association of Fire Chiefs, Inc., International Association of Fish and Wildlife Agencies, International Municipal Signal Association, and National Association of State Foresters (joint filing), Association of Public-Safety Communications Officials-International, Inc., Dataradio Group of Companies, Ericsson, Inc., Federal Law Enforcement Wireless Users Group, King Communications U.S.A. Inc., Motorola, Inc., National Public Safety Telecommunications Council, New York State Technology Enterprise Corporation, Commonwealth of Pennsylvania, John Powell, Project 25 Steering Committee, Safety Tech Industries, State of California, and State of Florida between November 12, 1998

³ See The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communications Requirements Through the Year 2010, WT Docket No. 96-86, *Memorandum Opinion and Order on Reconsideration*, 14 FCC Rcd 8059 (1999) ("*First MO&O*").

⁴ Public Safety National Coordination Committee, Recommendations to the Federal Communications Commission for Technical and Operational Standards for Use of the 764-776 MHz and 794-806 MHz Public Safety Band Pending Development of Final Rules (Feb. 25, 2000) ("*NCC Recommendations*").

⁵ See Petitions of APCO, NPSTC, Motorola, NYSTEC, Ericsson, Powell, and AASHTO *et. al.*

⁶ See Petition of STI.

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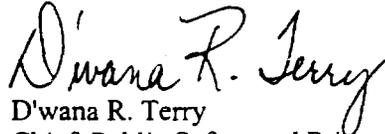
and December 2, 1998, respectively, ARE GRANTED OR DEFERRED to the extent indicated herein and otherwise ARE DENIED.

5. Finally, this *Erratum* corrects a typographical error in the Second Supplemental Final Regulatory Flexibility Analysis that appeared in Appendix B of the *Second Memorandum Opinion and Order*. On page B-5, the heading which reads "Steps Taken To Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered" was inadvertently numbered VI. This heading is now number V.

6. These errors will be corrected before publication in the Federal Register, and before the *Second Memorandum Opinion and Order* is published in the FCC Record.

7. This action is taken under delegated authority pursuant to Section 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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