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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO: Chief, Reference Operations Division
Chief, Wireless Telecommunications Bureau

FROM: Daniel M. Armstrong
Associate General Counsel

SUBJECT: Small Business in Telecommunications (SBT) v. FCC & USA, No. 99-1543. Filing of a new Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

DATE: January 12, 2000

This is to advise you that, on December 29, 1999, Small Business in Telecommunications ("SBT") filed a new Petition for Review pursuant to 47 U.S.C. § 402(a) of: Amendment of Part 90 of the Commission's Rules to Facilitate Future Development of SMR Systems in the 800 MHz Frequency Band, PR Docket No. 93-144; Implementation of Sections 3(n) and 332 of the Communications Act - Regulatory Treatment of Mobile Services, GN Docket No. 93-252; and Implementation of Section 309(j) of the Communications Act - Competitive Bidding, PP Docket No. 93-253, FCC 99-270 (released October 8, 1999).

SBT challenges the above-referenced Memorandum Opinion and Order on Reconsideration in which the FCC revised and clarified certain rules governing the implementation of a new EA licensing system for the 800 MHz Specialized Mobile Radio (SMR) service, including the service rules for the lower 230 channels and the rights and obligations of EA licensees in those channels.

The Court has docketed this case as No. 99-1543. The attorney assigned to handle the litigation of this case is Roberta L. Cook.