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

SEP 14 1 12 PM '04

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)	ET Docket No. 00-258
)	
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)	RM-9498
)	
Petition for Rule Making of the Wireless Information Networks Forum Concerning the Unlicensed Personal Communications Service)	RM-10024
)	
Petition for Rule Making of UT Starcom, Inc., Concerning the Unlicensed Personal Communications Service)	ET Docket No. <u>95-18</u>
)	
Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for use by the Mobile Satellite Service)	

ERRATUM

Released: September 10, 2004

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

On August 6, 2004, the Commission released a *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order*, FCC 04-168, in the above-captioned proceeding.¹ This Erratum corrects the following errors or omissions in that document:

1. In paragraph 198, second list, first item, we add an omitted clarifying footnote 517A which reads as follows:

¹ See *Improving Public Safety Communications in the 800 MHz Band, Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order*, WT Docket 02-55, FCC 04-168), released August 6, 2004.

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517A Although the Transition Administrator will specify replacement channels, the Transition Administrator is not necessarily required to select these replacement channels itself. The Transition Administrator may rely on a third party or parties for the selection of replacement channels.

2. In paragraphs 327 and 350, we resolve an ambiguity in the item concerning the timing of reports from the Transition Administrator to the Wireless Telecommunications Bureau. The item stated variously that said reports were due monthly and quarterly, whereas the intent was that said reports be filed on a quarterly basis. Accordingly, we replace the word "monthly" with the word "quarterly" in the above-cited paragraphs.

3. We add the following footnote following at the end of paragraph 192 in order to correct an inadvertent omission of the process to be used when the Transition Administrator is not an individual or when the Transition Administrator is not an entity specifically formed to perform Transition Administrator functions. For example, a case in which the Transition Administrator were to be a project management firm providing services to multiple clients.

510A Should the selected Transition Administrator be a company or other entity providing services to multiple clients, the salaries of the principals of such a company are not relevant to our inquiry. In such a case, the Transition Administrator shall report the billing rates of those persons performing the Transition Administrator function; which rates shall be no more than the billing rates charged for similar services in a project of similar complexity.

4. Similarly we add the following sentence at the end of footnote 515: "*See n. 510A, supra.*"; add a new footnote 74A, which reads "*See n. 510A, infra.*" after the first sentence in the fourth main bullet in paragraph 35; add a new footnote 745A, which reads "*See n. 510A, supra.*" after the second sentence in paragraph 327; add a new footnote 748A, which reads "*See n. 510A, supra.*" after the first sentence in the fourth main bullet in paragraph 330; and add a new footnote 773A, which reads "*See n. 510A, supra.*" after the second sentence in paragraph 350.

5. In Appendix C, we resolve a conflict between the text of the Order and Section 90.676 of the rules by changing said rule to state that the Transition Administrator must be an independent party with no financial interest in any 800 MHz licensee; as follows:

§ 90.676 Transition administrator for reconfiguration of the 806-824/851-869 MHz band in order to separate cellular systems from non-cellular systems.

The Transition Administrator will be an independent party with no financial interest in any 800 MHz licensee; and will be selected by a committee representative of 800 MHz licensees. The Transition Administrator will serve both a ministerial role and a function similar to a special master in a judicial proceeding.

* * * * *

6. These errors or omissions will be corrected prior to publication of the *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order WT Docket 02-55, FCC 04-168*, in the Federal Register and in the FCC Record.

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7. 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.

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A handwritten signature in black ink, appearing to read "Michael J. Wilhelm", written over a horizontal line.

Michael J. Wilhelm, Chief
Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau