

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

In the Matter of)
)
The Commercial Mobile Alert System) PS Docket No. 07-287

ERRATUM

Adopted: September 5, 2008

Released: September 5, 2008

By the Commission:

1. On August 7, 2008, we released the Commercial Mobile Alert System Third Report and Order (*CMAS Third Report and Order*)¹ in which we adopted rules implementing Section 602(b) of the Warning, Alert and Response Network Act.² In this Erratum we adopt today, we take two actions to address concerns raised by the Office of Federal Register regarding the publication of the *CMAS Third Report and Order* in the Federal Register. First, we correct the effective date for the rules adopted in the *CMAS Third Report and Order*. Second, we correct our rule regarding timing of subscriber notification.

2. We delete the caption “V. Effective Date” and paragraphs 61 through 64 of the *CMAS Third Report and Order* and revise the second sentence of paragraph 65 in the *CMAS Third Report and Order* to read as follows: “The rules adopted in this Report and Order shall become effective 30 days from publication in the Federal Register.”

3. We also revise Section 10.210 set forth in Appendix C of the *CMAS Third Report and Order* to delete subparagraph (d).

4. Nothing in this Erratum affects the statutory requirement that, by September 8, 2008 (*i.e.*, 30 days after the Commission released the *CMAS Third Report and Order*), Commercial Mobile Service (CMS) Providers must submit an election to the Commission indicating whether or not they intend to transmit emergency alerts as part of the Commercial Mobile Alert System.³

¹ In the Matter of Commercial Mobile Alert System, PS Docket No. 07-287, *Third Report and Order*, FCC 08-184 (rel. August 7, 2008) (“*CMAS Third Report and Order*”).

² Warning, Alert and Response Network Act, Title VI of the Security and Accountability for Every Port Act of 2006, Pub. L. No. 109-347, 120 Stat. 1884 (2006) (WARN Act), § 602(b).

³ WARN Act, § 602(b)(2)(A). *See also* Public Notice, “Commercial Mobile Service Providers Must File Elections Regarding Participation in the Commercial Mobile Alert System By September 8, 2008,” DA 08-1866, (PSHSB, rel. August 7, 2008). *See also* Notice, 73 Fed. Reg. 51637 (September 4, 2008).

5. Finally, we revise Section 10.260 set forth in Appendix C of the *CMAS Third Report and Order* to read as follows:

A CMS provider that elects not to transmit CMAS Alert Messages, in part or in whole, must comply with §§ 10.240 and 10.250 no later than 60 days following an announcement by the Commission that the Alert Aggregator/Gateway system is operational and capable of delivering emergency alerts to participating CMS providers.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary