

Federal Communications Commission

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Amendment of Part 90 of the)	PR Docket No. 93-61
Commission's Rules to Adopt)	
Regulations for Automatic Vehicle)	
Monitoring Systems)	
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ERRATUM TO SECOND REPORT AND ORDER

Released: July 20, 1998

By the Chief, Wireless Telecommunications Bureau:

This Erratum makes minor corrections to the text and final rules adopted in the *Second Report and Order* in the above-captioned proceeding, FCC 98-157, which was released on July 14, 1998. A corrected version of the *Second Report and Order* will be published in the *Federal Register* and FCC Record.

1. Paragraph 37 of the *Second Report and Order* is revised to read as follows:

As discussed above, we will permit partitioning along any service area defined by the parties. To this end, the Commission requires sufficient information to maintain our licensing records. Therefore, consistent with our treatment of the WCS and 800 MHz and 900 MHz SMR services, partitioning applicants will be required to submit, as separate attachments to the partial assignment application, a description of the partitioned service area and a calculation of the population of the partitioned service area and licensed market. The partitioned service area must

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be defined by coordinate points at every three degrees along the partitioned service area agreed to by both parties, unless county lines are followed. These geographical coordinates must be specified in degrees, minutes and seconds to the nearest second of latitude and longitude, and must be based upon the 1927 North American Datum (NAD27). Applicants also may supply geographical coordinates based on 1983 North American Datum (NAD83) in addition to those required based on NAD27. This coordinate data should be supplied as an attachment to the partial assignment application, and maps need not be supplied. In cases where county lines are being utilized, applicants need only list the specific counties that make up the newly partitioned area.⁹³

2. Section 90.365(b) of the Commission's rules is corrected by deleting language to conform it to paragraph 37 of the *Second Report and Order* so that it reads as follows:

§ 90.365 Partitioned licenses and disaggregated spectrum.

(b) *Technical Requirements*--In the case of partitioning, requests for authorization for partial assignment of a license must include, as attachments, a description of the partitioned service area, and a calculation of the population of the partitioned service area and the licensed geographic service area. The partitioned service area shall be defined by coordinate points at every three degrees along the partitioned service area unless county lines are followed. The geographic coordinates must be specified in degrees, minutes, and seconds to the nearest second of latitude and longitude and must be based upon the 1927 North American Datum (NAD27). Applicants may supply geographical coordinates based on 1983 North American Datum (NAD83) in addition to those required based on NAD27. In the case where county lines are utilized, applicants need only list the specific area(s) (through use of county names) that constitute the partitioned area.

3. Section 90.365 of the Commission's rules is corrected to conform to paragraph 41 of the *Second Report and Order* by deleting paragraph (d) and renaming paragraph (e) to read as follows:

§ 90.365 Partitioned licenses and disaggregated spectrum.

⁹³ See *Wireless Communications Service Report and Order*, 12 FCC Rcd at 10837, ¶ 98 (1997); and *800 MHz SMR Second Report and Order*, 12 FCC Rcd at 19137, ¶ 166 (1997).

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(d) *Construction requirements --(1) Requirements for partitioning.*

4. New Subpart X of Part 90 is added to provide a separate subpart for competitive bidding rules, consistent with the structure used in the remainder of Part 90 of the Commission's rules. A new rule, Section 90.1101, is added to specify that mutually exclusive applications for Location and Monitoring Service licenses are subject to competitive bidding, and former Section 90.364 of Appendix C of the *Second Report and Order* is redesignated as Section 90.1103 of Subpart X. New Subpart X reads as follows:

Subpart X -- Competitive Bidding Procedures

§ 90.1101 Location and Monitoring Service subject to competitive bidding.

Mutually exclusive initial applications for multilateration Location and Monitoring Service licenses are subject to competitive bidding procedures. The procedures set forth in Part 1, Subpart Q of this chapter will apply unless otherwise provided in this part.

§ 90.1103 Designated entities.

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