

47 CFR Part 73

[MM Docket No. 87-267]

Radio Broadcast Services; Correction

AGENCY: Federal Communications Commission.

ACTION: Correcting amendments.

SUMMARY: This document contains corrections to the final rules that were published Thursday, December 12, 1991 (56 FR 64842). The rules related to improvement of the AM broadcast service.

EFFECTIVE DATE: April 19, 1992.

FOR FURTHER INFORMATION CONTACT: William A. Dever, (202) 418-2689.

SUPPLEMENTARY INFORMATION:

Background

The final rules that are the subject of these corrections were adopted in the Federal Communications Commission's Report and Order in MM Docket No. 87-267, which was published on December 12, 1991 (56 FR 64842). The rules, which related generally to improvement of the AM broadcast service, were intended to include all of the rules adopted in the Commission's Report and Order in MM Docket No. 89-46, which were published on August 13, 1990 (55 FR 32922), and which provided for interference reduction between AM broadcast stations.

Need for Correction

The amendatory text accompanying the Report and Order in MM Docket No. 87-267 omitted two provisions that were adopted in MM Docket No. 89-46, and that were intended to be included in the final rules in MM Docket No. 87-267.

Correction of Publication

Accordingly, 47 CFR Part 73 is corrected by making the following correcting amendments:

PART 73—AMENDED

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154 and 303.

§ 73.1750 [Corrected]

2. Section 73.1750 is amended to add the following language at the end to read as follows:

§ 73.1750 Discontinuance of operation.

* * * If a licensee surrenders its license pursuant to an interference reduction arrangement, and its surrender is contingent upon the grant of another application, the licensee surrendering the license must identify

in its notification the contingencies involved.

3. Section 73.3571(c)(1) is amended by redesignating paragraphs (c)(1) and (c)(2) as (c)(2) and (c)(3), and by adding new paragraph (c)(1) to read as follows:

§ 73.3571 Processing of AM broadcast station applications. [Corrected]

* * * * *

(c) * * *

(1) In order to grant a major or minor change application made contingent upon the grant of another licensee's request for a facility modification, the Commission will not consider mutually exclusive applications by other parties that would not protect the currently authorized facilities of the contingent applicants. Such major change applications remain, however, subject to the provisions of §§ 73.3580 and 1.1111. The Commission shall grant contingent requests for construction permits for station modifications only upon a finding that such action will promote the public interest, convenience and necessity.

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William F. Caton,

Acting Secretary.

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47 CFR Parts 80 and 95

[WT Docket No. 95-56; FCC 96-315]

Amendment of the Commission's Rules Concerning Low Power Radio and Automated Maritime Telecommunications System Operations in the 216-217 MHz Band

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action amends the maritime service and personal radio service rules to permit the shared use of the 216-217 MHz band on a secondary, non-interference basis, for a new Low Power Radio Service (LPRS) to include auditory assistance devices, health care assistance devices, law enforcement tracking systems, and automated maritime telecommunications system (AMTS) point-to-point network control communications. The effect of this rule is to: increase educational opportunities and access to telecommunications devices for persons with disabilities; facilitate health care services, strengthen law enforcement, and maximize efficiency in the use of AMTS coast stations frequencies. This action promotes effective utilization of presently unused radio spectrum.

EFFECTIVE DATE: October 4, 1996.

FOR FURTHER INFORMATION CONTACT:

Roger Noel or Ira Keltz of the Commission's Wireless Telecommunications Bureau at (202) 418-0680 or via email at mayday@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order*, FCC 96-315, adopted July 25, 1996, and released August 2, 1996. The full text of this *Report and Order* is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239) 1919 M Street, NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, ITS, Inc., 2100 M Street NW., Suite 140, Washington, DC 20037, telephone (202) 857-3800.

Summary of Order

1. The 216-220 MHz band was originally allocated to the AMTS to provide automated, integrated, interconnected ship-to-shore communications for vessel operators. The 216-217 MHz portion of the band, however, was found to be unusable by high power AMTS coast stations within 105 miles of TV channel 13 stations, which operate on the immediately adjacent 210-216 MHz band, due to the potential for harmful interference. On May 16, 1995, the Commission released a *Notice of Proposed Rule Making*, 60 FR 28079 (May 30, 1995), in this proceeding proposing to permit the shared use of the 216-217 MHz band for a new LPRS and low power AMTS communications.

2. This action authorizes use of the 216-217 MHz band for a new service, the LPRS, for auditory assistance, radio-based health care, law enforcement tracking, and AMTS point-to-point network control communications. LPRS transmitters will be authorized on a secondary, non-interference, basis and must not cause harmful interference to TV receivers within the Grade B contour of any TV channel 13 station or cause harmful interference to the United States Navy's Space Surveillance System (SPASUR) operating in the 216.88-217.08 MHz band.

3. Rather than licensing each station individually, this action authorizes LPRS transmitters by rule under the Citizens Band Radio Service in Part 95 of the Commission's rules. This approach greatly reduces administrative and economic burdens for individuals and organizations that will use LPRS systems by not requiring them to file license applications and remit fees to the Commission prior to using these low