

by removing Channel 241A and adding Channel 241C at McCook.

13. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by removing Channel 233C2 and adding Channel 233C3 at Sun Valley.

14. Section 73.202(b), the Table of FM Allotments under New Hampshire, is amended by removing Channel 272C3 at Lancaster.

15. Section 73.202(b), the Table of FM Allotments under New Mexico, is amended by removing Channel 287C2 and adding Channel 287C3 at Alamogordo.

16. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 264C2 and adding Channel 264C3 at Overton.

17. Section 73.202(b), the Table of FM Allotments under Vermont, is amended by removing Channel 229C3 and adding Channel 229A at Addison.<sup>2</sup>

18. Section 73.202(b), the Table of FM Allotments under Washington, is amended by removing Channel 254A and adding Channel 254C3 at Mabton.

19. Section 73.202(b), the Table of FM Allotments under West Virginia, is amended by removing Channel 285A and adding Channel 285B1 at Clarksburg.

20. Section 73.202(b), the Table of FM Allotments under Wyoming, is amended by removing Channel 297A and adding Channel 297C2 at Kemmerer, by removing Channel 235C1 and adding Channel 235C at Sheridan and by removing Channel 269A and adding Channel 269C1 at Thermopolis.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 99-18835 Filed 7-22-99; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 90

[PR Docket No. 89-553, PP Docket No. 93-253, GN Docket No. 93-252, FCC 95-395]

### Metropolitan Trading Area Licensees; Correction

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule, correction.

**SUMMARY:** This correction amendment clarifies 47 CFR 90.665(c). This

<sup>2</sup> Pursuant to MM Docket No. 98-52, effective December 14, 1998, Channel 229C3 was substituted for Channel 229A at Hague, New York, and reallocated to Addison, Vermont. See 63 FR 62957, November 10, 1998.

correction amendment is necessary to clarify that the Commission adopted two distinct options to satisfy construction requirements for Metropolitan Trading Area (MTA) licensees in the 900 MHz Specialized Mobile Radio Service.

**EFFECTIVE DATE:** August 12, 1999.

**FOR FURTHER INFORMATION CONTACT:** Don Johnson, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-7240.

**SUPPLEMENTARY INFORMATION:** This *Second Erratum*, DA 95-2327, released November 8, 1995, is available for inspection and copying during normal business hours in the FCC Reference Center, 445 Twelfth Street, S.W., Washington D.C. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington D.C. 20036 (202) 857-3800. The document is also available via the internet at <http://www.fcc.gov/Bureaus/Wireless/Orders/1995/index.html>.

### Synopsis

This document corrects 47 CFR 90.665(c) of the Final Rules, set forth in the amendatory text to the Second Order on Reconsideration and Seventh Report and Order in the above-captioned proceeding, 60 FR 48913 (September 19, 1995), 47 CFR 90.665. This correction clarifies that there are two distinct options to satisfy construction requirements for Metropolitan Trading Area (MTA) licensees in the 900 MHz Specialized Mobile Radio Service. Under the first option, the MTA licensee must demonstrate coverage of one-third of the MTA's population three years from the date of license grant, and demonstrate two-thirds coverage of the MTA's population five years after license grant. The second option requires an MTA licensee to demonstrate five years after license grant that it is providing substantial service to the MTA. An MTA licensee must, three years from license grant, either show that the one-third population coverage standard has been satisfied, or provide written notification that it has elected to show substantial service to the MTA five years from license grant. In addition, as part of the election to provide a substantial service showing, each MTA licensee must, three years from license grant, indicate how it expects to demonstrate substantial service at five years. We find good cause under section 553(d)(3) of the Administrative Procedure Act (5 U.S.C. chapter 5) and 47 CFR 1.427(b) to depart

from the general requirement that final rules take effect not less than thirty days after their publication in the **Federal Register**. In this case, the three-year construction deadline for most licensees affected by this erratum is August 12, 1999. Therefore, to avoid any possible confusion of what a licensee would need to do if it elects the substantial service option, we make the effective date of the amended rule to be August 12, 1999.

### List of Subjects in 47 CFR Part 90

Private Land Mobile Radio Service.

Federal Communications Commission.

**Magalie Roman Salas,**  
*Secretary.*

Accordingly, 47 CFR Part 90 is corrected by making the following amendment:

### PART 90—PRIVATE LAND MOBILE RADIO SERVICE

1. The authority citation for Part 90 is revised as follows:

**Authority:** Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7).

2. § 90.665(c) is revised to read as follows:

#### § 90.665 Authorization, construction and implementation of MTA licenses.

\* \* \* \* \*

(c) Each MTA licensee in the 896-901/935-940 MHz band must, three years from the date of license grant, construct and place into operation a sufficient number of base stations to provide coverage to at least one-third of the population of the MTA; further, each MTA licensee must provide coverage to at least two-thirds of the population of the MTA five years from the date of license grant. Alternatively, an MTA licensee must demonstrate, through a showing to the Commission five years from the date of license grant, that it is providing substantial service. An MTA licensee must, three years from license grant, either show that the 1/3 population coverage standard has been satisfied, or provide written notification that it has elected to show substantial service to the MTA five years from license grant. In addition, as part of the election to provide a substantial service showing, each MTA licensee must, three years from license grant, indicate how it expects to demonstrate substantial service at five years. The MTA licensee must meet the population coverage benchmarks regardless of the extent to

which incumbent licensees are present  
within the MTA block.

\* \* \* \* \*

[FR Doc. 99-18766 Filed 7-22-99; 8:45 am]

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