

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

In the Matter of)
)
Amendment of Parts 1, 21, 22, 24, 25, 27, 73, 74,)
80, 90, 95, 100, and 101 of the Commission Rules)
– Competitive Bidding)
)

ERRATUM

Released: October 24, 2007

By the Chief, Wireless Telecommunications Bureau:

1. On April 11, 2002, the Wireless Telecommunications Bureau released an *Order*, DA 02-847, in the above-captioned proceeding. This Erratum corrects the document as indicated below. The Order that is the subject of these corrections served to eliminate redundant or unnecessary rules from the Code of Federal Regulations. The Order amended the Commission's rules on competitive bidding to further the Bureau's continuing efforts to streamline its procedures in accordance with the Commission's biennial regulatory review obligations set forth at section 11(a) of the Communications Act of 1934, as amended.

2. Need for Correction. As published, the amended 47 CFR § 27.502, which renumbered original Section 27.502(a)(6) as Section 27.502(c),¹ inadvertently omitted the substance of the original Section 27.502(c), regarding bidding credit percentages. This correction restores the original Section 27.502(c) as Section 27.502(b), and renumbers the remaining paragraphs of Section 27.502 (*i.e.*, the current paragraphs (a) and (b)) as Sections 27.502(a)(1) and 27.502(a)(2). In addition, we take this opportunity to update cross-references to 47 CFR § 1.2110(e)(2)(ii) and 1.2110(e)(2)(iii) appearing in the original 47 CFR § 27.502(c) to reflect the intervening renumbering of the cross-referenced material as 47 CFR § 1.2110(f)(2)(ii) and 1.2110(f)(2)(iii).

3. Accordingly, Section 27.502 is revised to read as follows:

Eligibility for small business provisions.

(a)(1) A small business is an entity that together with its controlling interests and affiliates, has average gross revenues not exceeding \$40 million for the preceding three years.

(2) A very small business is an entity that, together with its controlling interests and affiliates, has average gross revenues not exceeding \$15 million for the preceding three years.

¹ Subsequently, the Commission deleted this provision. Amendment of Part 1 of the Commission's Rules – Competitive Bidding Procedures, *Second Order on Reconsideration of the Third Report and Order and Order on Reconsideration of the Fifth Report and Order* in WT Docket No. 97-82, 18 FCC Rcd 10180, 10234 (2003) (removing paragraph (c) – previously designated as (a)(6) – from Section 27.502).

(b) Bidding Credits. A winning bidder that qualifies as a small business or a consortium of small businesses as defined in this section may use the bidding credit specified in § 1.2110(f)(2)(iii) of this chapter. A winning bidder that qualifies as a very small business or a consortium of very small businesses as defined in this section may use the bidding credit specified in § 1.2110(f)(2)(ii) of this chapter.

4. Authority and Effective Date. The forgoing revision to the Commission's rules corrects an inadvertent error and restores the rules as intended by the Commission. The revision is made pursuant to the Commission's direction to the Bureau to issue the original Order that is the subject of this Erratum, as well as the Bureau's general delegated authority.² In light of the ministerial nature of these corrections, notice and public procedure pursuant to the Administrative Procedure Act are unnecessary and there is good cause for these revisions to be effective immediately upon publication of this Erratum in the Federal Register.³

FEDERAL COMMUNICATIONS COMMISSION

Fred B. Campbell, Jr.
Chief
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² See Amendment of Part 1 of the Commission's Rules – Competitive Bidding Procedures, *Fifth Report and Order*, 15 FCC Rcd 15293, 15330 ¶ 78 (2000); see also 47 C.F.R. §§ 0.131 and 331.

³ See 5 U.S.C. §§ 553(b) and (d).