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Federal Communications Commission
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Washington, D. C. 20554

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

Report No. WT 98-14

WIRELESS TELECOMMUNICATIONS ACTION

May 21, 1998

COMMISSION ADOPTS RULES AND SETS FORTH PROCESSES FOR 220-222 MHz AUCTION

The Commission has adopted a Memorandum Opinion and Order on Reconsideration (*Reconsideration Order*) setting forth rules for the 220-222 MHz radio service (220 MHz service) and paving the way for an auction of licenses in the 220 MHz service. The *Reconsideration Order* responds to five (5) petitions for reconsideration of the Commission's 220 MHz *Second Report and Order*, and to eleven (11) petitions for reconsideration of the Commission's 220 MHz *Third Report and Order*. In general, the Commission reaffirms the rules adopted in those orders with minor changes and clarifications in response to the petitions.

Within five (5) business days after the release of today's *Reconsideration Order*, the Wireless Telecommunications Bureau will release a *Public Notice* announcing key dates, procedures and terms for the 220 MHz auction. Among the key dates will be the FCC Form 175 filing deadline. This deadline will be no more than sixty (60) days after publication of the *Reconsideration Order* in the Federal Register.

The 220 MHz auction is considered Phase II in the Commission's licensing plan of this service. Licensees in Phase I of this service band were authorized by lotteries in 1992 and 1993.

In the *Reconsideration Order*:

- The Commission grants additional flexibility to Phase I licensees by permitting them to modify their authorizations to the extent that the modifications do not expand their existing service area.
- The Commission removes the spectrum efficiency standard that applied to licensees operating on channels wider than 5 kHz.
- The Commission retains criteria established in the 220 MHz *Third Report and Order* for the protection of Phase I licensees.
- The Commission retains the current power limits on the mobile frequencies in the 220 MHz band.

- Consistent with the Commission's elimination of installment payment financing for future auctions, the use of installment payment plans for the 220 MHz Service auction is eliminated. Increased bidding credits, however, are available for small and very small businesses consistent with the schedule set out in the *Part 1 Third Report and Order*.

Action by the Commission May 14, 1998 by Memorandum Opinion and Order on Reconsideration (FCC 98-93). Chairman Kennard, Commissioners Ness, Furchtgott-Roth, Powell and Tristani with Commissioner Ness issuing a separate statement.

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