

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

In the Matter of)	
)	
)	MM Docket No. 00-10
Establishment of a Class A)	
Television Service)	
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)	
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ERRATUM

Released: May 19, 2000

By the Chief, Mass Media Bureau:

1. This *Erratum* clarifies the effective date of the amended rules set forth in Appendix A of the *Report and Order* in MM Docket No. 00-10 (“In the Matter of Establishment of a Class A Television Service”), FCC 00-115 (released April 4, 2000) (“*R&O*”). The *R&O* established a Class A television service to implement the Community Broadcasters Protection Act of 1999, and amended rules in 47 CFR Parts 1, 11, 73, and 74 to make them applicable to Class A stations. Paragraph 128 of the *R&O* states that the rules shall be effective 30 days after publication in the Federal Register. The Federal Register summary of the rules, published May 10, 2000 (65 FR 29985), incorrectly stated that the rules would be effective 60 days following publication, or on July 10, 2000. This *Erratum* clarifies that the effective date of the rules is 30 days after publication in the Federal Register, as stated in paragraph 128 of the *R&O*. The *R&O* was published in the Federal Register on May 10, 2000; thus, the rules will be effective June 9, 2000. The Federal Register has been notified of this correction to the summary.

2. In addition, this *Erratum* also corrects or clarifies the amendments made to §§ 11.11, 73.1690, 73.2080, 73.3580, and the table of contents to Subpart J of Part 73 of the rules. With respect to § 11.11, “The Emergency Alert System (EAS),” there is a typographical error in the table “Timetable Broadcast Stations” as it was printed in the Federal Register. With respect to § 73.1690, “Modification of transmission systems,” a revised paragraph (c)(3) was inadvertently deleted from the rules as they appear in the Federal Register. With respect to § 73.2080, “Equal employment opportunities,” the amendment in the *R&O* was intended to modify only the first sentence of paragraph (a) of § 73.2080. The Commission did not intend to change or delete the remainder of paragraph (a) in that section. With respect to § 73.3580, the codification of the amendment to paragraph (d)(5) of that section was incorrect. Finally, a section was

inadvertently deleted from the table of contents to new Subpart J of Part 73. The correct text of these sections, as amended, appears in the appendix to this *Erratum*. The Federal Register has been notified of these corrections.

FEDERAL COMMUNICATIONS COMMISSION

Roy J. Stewart
Chief, Mass Media Bureau

APPENDIX

1. § 11.11 The Emergency Alert System (EAS)

The second entry in the first column of the table “Timetable Broadcast Stations” should read “Two-tone decoder.”

2. §73.1690 Modification of transmission systems

Section 73.1690 is amended by revising paragraph (c)(3) to read as follows:

(c) ***

(3) A directional TV on Channels 2 through 13 or 22 through 68 or a directional Class A TV on Channels 2 through 13 or 22 through 51, or a directional TV or Class A TV station on Channels 15 through 21 which is in excess of 341 km (212 miles) from a cochannel land mobile operation or in excess of 225 km (140 miles) from a first-adjacent channel land mobile operation (see Part 74, § 74.709(a) and (b) for tables of urban areas and reference coordinates of potentially affected land mobile operations), may replace a directional TV or Class A TV antenna by a license modification application, if the proposed horizontal theoretical directional antenna pattern does not exceed the licensed horizontal directional antenna pattern at any azimuth and where no change in effective radiated power will result. The modification of license application on Form 302-TV or Form 302-CA must contain all of the data set forth in § 73.685(f) or § 73.6025(a), as applicable.

3. § 73.2080 Equal employment opportunities

Section 73.2080 is amended by revising paragraph (a) to read as follows:

(a) General EEO Policy. Equal opportunity in employment shall be afforded by all licensees or permittees of commercially or noncommercially operated AM, FM, TV, Class A TV, or international broadcast stations (as defined in this part) to all qualified persons, and no person shall be discriminated against in employment by such stations because of race, color, religion, national origin, or sex. Religious radio broadcasters may establish religious belief or affiliation as a job qualification for all station employees. However, they cannot discriminate on the basis of race, color, national origin or gender from among those who share their religious affiliation or belief. For purposes of this rule, a religious broadcaster is a licensee which is, or is closely affiliated with, a church, synagogue, or other religious entity, including a subsidiary of such an entity.

4. §73.3580 Local public notice of filing of broadcast applications.

The codification of the amendment to §73.3580(d)(5) was incorrect. The regulatory text of § 73.3580(d)(5) is corrected to read as follows:

(d)***

(5) An applicant who files for a Class A television license must give notice of this filing by broadcasting announcements on applicant's station. (Sample and schedule of announcements are below.) Newspaper publication is not required.

(i) The broadcast notice requirement for those filing for Class A television license applications and amendment thereto are as follows:

(A) Pre-filing announcements. Two weeks prior to the filing of the license application, the following announcement shall be broadcast on the 5th and 10th days of the two week period. The required announcements shall be made between 6 p.m. and 11 p.m. (5 p.m. and 10 p.m. Central and Mountain Time) Stations broadcasting primarily in a foreign language should broadcast the announcements in that language.

On (date), the Federal Communications Commission granted (Station's call letters) a certification of eligibility to apply for Class A television status. To become eligible for a Class A certificate of eligibility, a low power television licensee was required to certify that during the 90-day period ending November 28, 1999, the station: (1) broadcast a minimum of 18 hours per day; (2) broadcast an average of at least three hours per week of programming produced within the market area served by the station or by a group of commonly-owned low power television stations; and (3) had been in compliance with the Commission's regulations applicable to the low power television service. The Commission may also issue a certificate of eligibility to a licensee unable to satisfy the foregoing criteria, if it determines that the public interest, convenience and necessity would be served thereby.

(Station's call letters) intends to file an application (FCC Form 302-CA) for a Class A television license in the near future. When filed, a copy of this application will be available at (address of location of the station's public inspection file) for public inspection during our regular business hours. Individuals who wish to advise the FCC of facts relating to the station's eligibility for Class A status should file comments and petitions with the FCC prior to Commission action on this application.

(B) Post-filing announcements. The following announcement shall be broadcast on the 1st and 10th days following the filing of an application for a Class A television license.. The required announcements shall be made between 6 p.m. and 11 p.m. (5 p.m. and 10 p.m. Central and Mountain Time). Stations broadcasting primarily in a foreign language should broadcast the announcements in that language.

On (date of filing license application) (Station's call letters) filed an application, FCC Form 302-CA, for a Class A television license. Such stations are required to broadcast a minimum of 18 hours per day, and to average at least 3 hours of locally produced programming each week, and to comply with certain full-service television station operating requirements.

A copy of this application is available for public inspection during our regular business hours at (address of location of the station's public inspection file). Individuals who wish to advise

the FCC of facts relating to the station's eligibility for Class A status should file comments and petitions with the FCC prior to Commission action on this application.

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5. Subpart J – Class A Television Broadcast Stations

The table of contents to Subpart J is revised to read as follows:

Sec.

- 73.6000 Definitions.
- 73.6001 Eligibility and service requirements.
- 73.6002 Licensing requirements.
- 73.6003—73.6005 [Reserved]
- 73.6006 Channel assignments.
- 73.6007 Power limitations.
- 73.6008 Distance computations.
- 73.6010 Class A TV station protected contour.
- 73.6011 Protection of TV broadcast stations.
- 73.6012 Protection of Class A TV, low power TV, and TV translator stations.
- 73.6013 Protection of DTV stations.
- 73.6014 Protection of digital Class A TV stations.
- 73.6016 Digital Class A TV station protection of TV broadcast stations.
- 73.6017 Digital Class A TV station protection of Class A TV, low power TV, and TV translator stations.
- 73.6018 Digital Class A TV station protection of DTV stations.
- 73.6019 Digital Class A TV station protection of digital Class A TV stations.
- 73.6020 Protection of stations in the land mobile radio service.
- 73.6022 Negotiated interference and relocation agreements.
- 73.6024 Transmission standards and system requirements.
- 73.6025 Antenna system and station location.
- 73.6026 Broadcast regulations applicable to Class A television stations.