

of fewer than 50,000.¹² The United States Bureau of the Census (Census Bureau) estimates that this ratio is approximately accurate for all governmental entities. Thus, of the 85,006 governmental entities, we estimate that 81,600 (91 percent) are small entities.

60. The rules adopted in the *Report and Order* affect licensees of BAS (Remote Pickup, aural, and television), CARS, and fixed microwave services. Additionally, they affect manufacturers of equipment that supports the BAS.

Broadcast Auxiliary Service (BAS) involves a variety of transmitters, generally used to relay broadcast programming to the public (through translator and booster stations) or within the program distribution chain (from a remote news gathering unit back to the stations). The Commission has not developed a definition of small entities specific to broadcast auxiliary licensees. The U.S. Small Business Administration (SBA) has developed small business size standards, as follows: (1) For TV BAS, we will use the size standard for Television Broadcasting, which consists of all such companies having annual receipts of no more than \$12.0 million;¹³ (2) For Aural BAS, we will use the size standard for Radio Stations, which consists of all such companies having annual receipts of no more than \$6 million;¹⁴ (3) For Remote Pickup BAS we will use the small business size standard for Television Broadcasting when used by a TV station and that for Radio Stations when used by such a station.

61. According to Census Bureau data for 1997, there were 906 Television Broadcasting firms, total that operated for the entire year.¹⁵ Of this total, 734 firms had annual receipts of \$9,999,999.00 or less and an additional 71 had receipts of \$10 million to \$24,999,999.00.¹⁶ Thus, under this standard, the majority of firms can be considered small.

62. According to Census Bureau data for 1997, there were 4,476 Radio Stations (firms), total, that operated for the entire year.¹⁷ Of this total 4,265 had annual receipts of \$4,999,999.00 or less, and an additional 103 firms had receipts

of \$5 million to \$9,999,999.00.¹⁸ Thus, under this standard, the great majority of firms can be considered small.

Cable Antenna Relay Service (CARS) includes transmitters generally used to relay cable programming within cable television system distribution systems. The SBA has developed a small business size standard for Cable and other Program Distribution, which consists of all such companies having annual receipts of no more than \$12.5 million.¹⁹ According to Census Bureau data for 1997, there were 1,311 firms within the industry category Cable and Other Program Distribution, total, that operated for the entire year.²⁰ Of this total, 1,180 firms had annual receipts of \$9,999,999.00 or less, and an additional 52 firms had receipts of \$10 million to \$24,999,999.00.²¹ Thus, under this standard, the majority of firms can be considered small.

Fixed Microwave Services (FS) includes common carrier, private-operational fixed, and broadcast auxiliary radio services. Presently there are approximately 22,015 common carrier fixed licensees and 61,670 private operational-fixed licensees and broadcast auxiliary radio licensees in the microwave services. The SBA has developed a small business size standard for Cellular and other Wireless Telecommunications, which consists of all such companies having 1,500 or fewer employees.²² According to Census Bureau data for 1997, there were 977 firms in this category, total, that operated for the entire year.²³ Of this total, 965 firms had employment of 999 or fewer employees, and an additional 12 had employment of 1,000 employees or more.²⁴ Thus, under this standard, virtually all firms can be considered small.

(D) Description of Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

63. Under the rules adopted in the *Report and Order*, there are changes to reporting, recordkeeping, and other compliance requirements. In many

cases, these changes streamline the existing licensing process or provide additional flexibility to licensees and applicants. Many of the proposed changes are related to the use of the Universal Licensing System (ULS) by BAS applicants and licensees. Applicants for BAS stations must apply through the Wireless Telecommunications Bureau using the ULS, which was adopted by *Report and Order* in 1998. To comply with this system, our decisions in the *Report and Order* are consistent with the decisions reached in that *Report and Order*. Accordingly, we have eliminated requests made by letter if there is a standard application form that can be used instead, modified the rules defining major and minor changes to those used for fixed microwave systems, and eliminated the need to report transmitter output power and requiring that all stations comply with limits on effective isotropic radiated power. We also have changed the period of construction for a BAS station from the currently used three years to eighteen months, consistent with the period used for fixed microwave stations.

64. Additionally, we have conformed some of the rules that affect frequency bands that are shared among BAS licensees (part 74), CARS licensees (part 78), and fixed microwave licensees (part 101). Specifically, we have updated the rules that protect interference to geostationary satellites from receiving harmful interference from fixed stations to those currently listed in the ITU International Radio Regulations. The effect of this update is to expand the number of frequency bands to which these rules apply. We also have adopted for BAS equipment, emission limitations that are consistent with those already being used for fixed microwave stations. We also are generally requiring that all BAS applicants for fixed stations operating above 944 MHz comply with the same frequency coordination guidelines in place for fixed microwave stations.

65. Further changes entail providing technical guidelines for TV studio-to-transmitter links and TV relay stations that operate on UHF-TV channels. These guidelines have always been imposed, but never codified. Also, with respect to BAS Remote Pickup stations, we are altering their channel plan to be consistent with the same channel spacing requirements as are used for Private Land Mobile Radio stations in part 90 of our rules. Finally, as noted, we have allowed a new type of device to operate on certain VHF and UHF TV channels, wireless assist video devices. These devices will follow the existing

¹² *Id.* The census data do not provide a more precise estimate.

¹³ *Id.* at NAICS code 513220.

¹⁴ *Id.* at NAICS code 513220.

¹⁵ *Id.* The census data do not provide a more precise estimate.

¹⁶ 13 CFR 121.201, NAICS code 513322.

¹⁷ U.S. Census Bureau, 1997 Economic Census, Subject Series: Information, "Employment Size of Firms Subject to Federal Income Tax: 1997," Table 5, NAICS code 513310 (issued Oct. 2000).

¹⁸ *Id.* The census data do not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is "Firms with 1,000 employees or more."

¹² *Id.*

¹³ 13 CFR 121.201, NAICS code 513120.

¹⁴ *Id.* at NAICS code 513112.

¹⁵ U.S. Census Bureau, 1997 Economic Census, Subject Series: Information, "Receipts Size of Firms Subject to Federal Income Tax: 1997," Table 4, NAICS code 513120 (issued Oct. 2000).

¹⁶ *Id.* The census data do not provide a more precise estimate.

¹⁷ *Id.* At NAICS code 513112.