

Source of flooding and location of referenced elevation	*Elevation in feet (NGVD) modified	Communities affected
---	------------------------------------	----------------------

Maps are available for inspection at 200 Civic Center, Tulsa, Oklahoma.

Tulsa County

Maps are available for inspection at the Tulsa County Anex Building, 633 West 3rd, Room 140, Tulsa, Oklahoma.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: January 21, 2003.

Anthony S. Lowe,

Administrator, Federal Insurance and Mitigation Administration.

[FR Doc. 03-2245 Filed 1-30-03; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR part 101

[WT Docket No. 00-19; RM-9418; FCC 02-218]

Streamline Processing of Microwave Applications in the Wireless Telecommunications Services and Telecommunications Industry Association Petition for Rulemaking

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, we take further actions to streamline, clarify, and update our rules. We take these actions to provide increased flexibility to licensees, ensure greater and more efficient use of the spectrum bands regulated under the rules, and ensure that our rules are consistent with international agreements.

DATES: Effective April 1, 2003.

FOR FURTHER INFORMATION CONTACT:

Edward Hayes or Michael Pollak of the Wireless Telecommunications Bureau, Public Safety and Private Wireless Division at (202) 418-0680 (voice), (202) 418-7233 (TTY).

SUPPLEMENTARY INFORMATION: This is a summary of the Federal Communications Commission's *Report and Order*, FCC 02-218, adopted on July 18, 2002, and released on July 31, 2002. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission's copy contractor, Qualex International, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>.

Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365 or at bmillin@fcc.gov.

1. In the *Report and Order* in WT Docket No. 94-148 and CC Docket No. 93-2, the Commission consolidated the rules for the common carrier and private operational fixed (POFS) microwave services contained in parts 21 and 94, respectively, of the Commission's Rules to create a new part 101. The new consolidated part 101 reduces or eliminates the differences in processing applications between common carriers and POF microwave service licensees, and furthers regulatory parity between these microwave services. On February 14, 2000, the Commission released the *Memorandum Opinion and Order and Notice of Proposed Rule Making* ("NPRM"), 65 FR 38333, June 20, 2000, in this proceeding. In the *NPRM*, the Commission proposed eliminating duplicative, outmoded, or otherwise unnecessary regulations in order to further the work begun by the consolidation of parts 21 and 94 into a single part 101 in the *R&O* and the implementation of the Universal Licensing System (ULS) for wireless applications. Applicants, licensees and related industries were invited to examine these rules and procedures and offer their views and explanations of ways to streamline them and to make sure that the regulations conform with the Communications Act of 1934, as amended (Act).

2. In this *Report and Order*, we take further actions to streamline, clarify, and update our part 101 rules. These actions will provide increased flexibility to licensees, ensure greater and more efficient use of the spectrum bands regulated under part 101, and ensure that our Rules are consistent with international agreements. The significant rule changes and clarifications that we adopt in this *Report and Order* to streamline part 101 are:

- We permit POFS licensees to lease reserve capacity to common carriers for their common carrier traffic. Further, we grandfather certain POFS licensees who formerly carried private traffic now classified as common carrier traffic.
- We clarify that conditional authorization in the 23 GHz Band is

permitted only on the frequency pairs identified in Section 101.147(s), and only if the maximum Effective Isotropic Radiated Power (EIRP) utilized does not exceed 55 dBm.

- We allow conditional operation in the 952.95-956.15 and 956.55-959.75 MHz bands.

- We clarify and correct the frequency tolerance table in Section 101.107(a) in accordance with the proposal contained in the *MO&O and NPRM*, 15 FCC Rcd at 3153 ¶ 45.

- We amend the EIRP table in § 101.113(a) to divide the 10.55-10.68 GHz band into two separate bands: 10.55-10.6 GHz with the maximum power of 55 dBW and 10.6-10.68 GHz with a maximum power of 40 dBW.

- We permit any Local Multipoint Distribution Service (LMDS) antenna polarization away from service boundaries.

- We amend § 101.507 to provide the frequency tolerance of $\pm 0.0001\%$ for Digital Electronic Message Service (DEMS) Nodal Stations and $\pm 0.0003\%$ for DEMS User Stations in the 10,550-10,680 MHz band.

- We modify the part 101 emission mask to make it less severe for LMDS by adopting for LMDS the same mask requirements that we did for the 24 GHz service, as outlined in § 101.111(a)(2)(iv).

- We modify the reference bandwidth in § 101.111(a)(2)(iii) from 4 kHz to 1 MHz for consistency with § 101.111(a)(2)(ii) and Appendix S3 of the International Radio Regulations.

3. Additionally, in response to the Telecommunications Industry Association (TIA) Petition for Rulemaking relating to the 10 GHz and 23 GHz bands, we adopt the following rule changes:

- We specify a channel plan for the 23 GHz band in our Rules.

- We adopt frequency tolerance standards for both digital and analog radios operating in the 23 GHz band.

- We extend a 1 bps/Hz spectrum efficiency rate requirement to the 23 GHz band for digital transmitters.

- We allow the use of smaller antennas in the 10 GHz and 23 GHz bands.