

## Federal Communications Commission

## § 101.1305

the three preceding years of not more than \$15 million.

(c) *Small business*. A small business is an entity that, together with its affiliates and controlling interests, has average gross revenues for the three preceding years of more than \$15 million but not more than \$40 million.

(d) *Entrepreneur*. An entrepreneur is an entity that, together with its affiliates and controlling interests, has average gross revenues for the three preceding years of more than \$40 million but not more than \$75 million.

[67 FR 46380, July 9, 2002, as amended at 68 FR 43002, July 21, 2003]

### Subpart N—Competitive Bidding Procedures for the 38.6–40.0 GHz Band

SOURCE: 63 FR 6106, Feb. 6, 1998, unless otherwise noted.

#### § 101.1201 38.6–40.0 GHz subject to competitive bidding.

Mutually exclusive initial applications for 38.6–40.0 GHz band licenses are subject to competitive bidding. The general competitive bidding procedures set forth in part 1, subpart Q of this chapter will apply unless otherwise provided in this subpart.

[67 FR 46380, July 9, 2002]

#### §§ 101.1202–101.1207 [Reserved]

#### § 101.1208 Bidding credits for small businesses.

A winning bidder that qualifies as a small business or a consortium of small businesses, (as defined in § 101.1209(b)(1)(i)) may use a bidding credit of 25 percent to lower the cost of its winning bid on any of the licenses in this part. A winning bidder that qualifies as a very small business or a consortium of very small businesses, as defined in § 101.1209(b)(1)(ii), may use a bidding credit of 35 percent to lower the cost of its winning bid on any of the licenses in this part.

[67 FR 46380, July 9, 2002]

#### § 101.1209 Definitions.

(a) *Scope*. The definitions in this section apply to §§ 101.1201 through

101.1209, unless otherwise specified in those sections.

(b) *Small business and very small business*. (1) A small business is an entity that together with its affiliates and persons or entities that hold attributable interests in such entity and their affiliates, has average gross revenues that are not more than \$40 million for the preceding three years.

(2) A very small business is an entity that together with its affiliates and persons or entities that hold attributable interests in such entity and their affiliates, has average gross revenues that are not more than \$15 million for the preceding three years.

[63 FR 6106, Feb. 6, 1998; 63 FR 10781, Mar. 5, 1998, as amended at 67 FR 46380, July 9, 2002; 68 FR 43002, July 21, 2003]

### Subpart O—Multiple Address Systems

SOURCE: 65 FR 17450, Apr. 3, 2000, unless otherwise noted.

#### GENERAL PROVISIONS

#### § 101.1301 Scope.

This subpart sets out the regulations governing the licensing and operation of Multiple Address Systems (MAS). The rules in this subpart are to be used in conjunction with applicable requirements contained elsewhere in the Commission's rules, such as those requirements contained in parts 1 and 22 of this chapter.

#### § 101.1303 Eligibility.

Authorizations for stations in this service will be granted in cases where it is shown that:

(a) The applicant is legally, financially, technically and otherwise qualified to render the proposed service;

(b) There are frequencies available to enable the applicant to render a satisfactory service; and

(c) The public interest, convenience or necessity would be served by a grant thereof.

#### § 101.1305 Private internal service.

A private internal service is a service where entities utilize frequencies purely for internal business purposes or