



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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## FCC ANNOUNCES IT IS PREPARED TO GRANT TELEVISION CONSTRUCTION PERMITS AFTER FINAL PAYMENT IS MADE

Balance of Winning Bids Due by July 29, 2008

### Auction No. 64

By this Public Notice, the Media Bureau, under delegated authority, announces that it is prepared to grant the two construction permit applications listed below following the full and timely payment of the remaining balance of the applicant's winning bids.

GROUP	PREFIX	ARN	APPLICANT	CITY	ST
TV-DTV003-3	BNPCDT	20060424ABV	WORD OF GOD FELLOWSHIP, INC.	APALACHICOLA	FL
TV-DTV010-51	BNPCDT	20060424ADL	WORD OF GOD FELLOWSHIP, INC.	MEDICAL LAKE	WA

In accordance with the procedures adopted in the *Broadcast Competitive Bidding First Report and Order*,<sup>1</sup> a lump sum final payment from the Auction No. 64 winning bidder listed above must be received by the Commission within **ten business days** of the release date of this Public Notice (*i.e.*, by July 29, 2008).<sup>2</sup> The Commission's Part 1 competitive bidding rules provide for an additional ten business day grace period for applicants who fail to meet the initial ten business day payment deadline.<sup>3</sup> Section 1.2109(a) of the Commission's Rules provides that if a winning bidder fails to pay the balance of its winning bid in a lump sum by the applicable deadline specified by the Commission, it may make a late payment within ten business days after the payment deadline (*i.e.* by August 12, 2008), provided that it also pays a late fee equal to five percent of the amount due.<sup>4</sup> If the winning bidder listed above fails to pay the balance of its winning bids (and any applicable late fee) by the late payment deadline of August 12, 2008, it will be considered in default and subject to the applicable default payment and procedural provisions specified in the Commission rules.<sup>5</sup> The applicant will be assessed a default payment as

<sup>1</sup> Implementation of 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses, *First Report and Order*, MM Docket No. 97-234, 13 FCC Rcd 15920 (1998) (“*Broadcast Competitive Bidding First Report and Order*”).

<sup>2</sup> See 47 C.F.R. § 73.5003; 1.2109(a).

<sup>3</sup> See Amendment of Part 1 of the Commission's Rules – Competitive Bidding Procedures, WT Docket No. 97-82, *Third Report and Order and Second Further Notice of Proposed Rule Making*, 13 FCC Rcd 374 (1997) (amending the Commission's Part 1 competitive bidding rules); see also 47 C.F.R. § 1.2109(a) (as amended).

<sup>4</sup> See 47 C.F.R. § 1.2109(a).

proscribed by Commission rules.<sup>6</sup>

By public notice, the Media Bureau will announce the grant of the construction permits if the Commission has received the timely final payment of the winning bid amounts.<sup>7</sup> A facility authorization will be issued shortly thereafter. The Media Bureau will also amend the DTV Table of Allotments and Appendix B to the DTV Table of Allotments to add these channels.<sup>8</sup> The previously filed long-form applications of the unsuccessful competing bidders in Auction No. 64 will be dismissed following grant of the winning bidder's construction permits.

### **PAYMENT INSTRUCTIONS**

All payments must be made in U.S. currency in the form of a wire transfer.<sup>9</sup> No personal checks, cashier's checks or other forms of payment will be accepted.

Wire transfer payments must be received by the Federal Communications Commission before **6:00 p.m. Eastern Time, on July 29, 2008 (or before 6:00 p.m. Eastern Time, August 12, 2008, along with the five percent late fee)**. Applicants must allow sufficient time for the wire transfer to be initiated and for the transmission to be completed prior to the deadline. To submit funds by wire, applicants will need the following information to properly effect the transmittal:

ABA ROUTING NUMBER: 021030004

RECEIVING BANK: **TREAS NYC**

33 Liberty Street

New York, NY 10045

ACCOUNT NAME: **FCC**

ACCOUNT NUMBER: **27000001**

OBI Field: (Skip one space between each information item) "AUCTIONPAY"

APPLICANT'S FRN NO.: (same as FCC Form 159, Block 21)

PAYMENT TYPE CODE: (enter "A64D")

PAYOR NAME: (same as FCC Form 159, Block 2)

LOCKBOX NO.: **979085**

Payments must be accompanied by a completed FCC Remittance Advice Form (FCC Form 159). **A**

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<sup>5</sup> See e.g., 47 C.F.R. §§ 1.2104(g), 1.2107(b), 1.2109, 73.5003; see also *Broadcast Competitive Bidding First Report and Order*, 13 FCC Rcd at 15983 ¶ 161; Wireless Telecommunications Bureau Will Strictly Enforce Default Payment Rules, *Public Notice*, 11 FCC Rcd 10853 (WTB 1996).

<sup>6</sup> See generally 47 C.F.R. §§ 1.2104 (g)(2), 1.2109(a).

<sup>7</sup> By letters dated July 9, 2008, the erroneous grants of these two construction permits were rescinded pursuant to 47 C.F.R. § 1.113. See Letters to Word of God Fellowship, Inc. from Clay C. Pendarvis, Associate Division Chief, Video Division, Media Bureau (File Nos. BNPCT-20060424ABV and BNPCT-20060424ADL), dated July 9, 2008.

<sup>8</sup> See Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, MB Docket No. 07-91, *Report and Order*, 23 FCC Rcd 2994, 3002 ¶ 9 (2007)(delegation of authority to the Media Bureau to amend the DTV Table of Allotments and Appendix B to the DTV Table of Allotments as needed up to the full power transition deadline.)

<sup>9</sup> See 47 C.F.R. § 1.2107(b).

**partially completed FCC Form 159 will be sent to the applicant.** On the same business day that the applicant pays the balance due, but at least one hour prior to placing the order for the wire transfer, the applicant must submit a completed FCC Form 159 via facsimile at **(314) 418-4232 to U.S. Bank, St. Louis, Missouri.** On the FCC Form 159, the applicant must use the same FCC Registration Number (FRN) used on its short-form application (FCC Form 175).

For questions regarding the calculation and submission of final payment, the FCC Form 159 and refunds, contact Gail Glasser, Office of the Managing Director, Financial Operations Center, Auctions Accounting Group, at (202) 418-0578.

For questions regarding legal matters and licensing issues, contact Shaun Maher, Media Bureau, Video Division at (202) 418-2324.

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