



**PUBLIC NOTICE
FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W.
WASHINGTON, D.C. 20554**

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DA 96-1900

Released: November 14, 1996

**Pleading Cycle Established for Comments on Waiver of Down Payment
Rules in Multipoint Distribution Service Auction**

Comments Due: November 22, 1996

Reply Comments Due: November 27, 1996

On October 18, 1996, the Wireless Telecommunications Bureau and the Mass Media Bureau issued a public notice establishing a pleading cycle for comments on several requests for waiver of down payment requirements filed by applicants in connection with three recent auctions. In each case, the applicant missed the deadline for the second down payment on an authorization won at auction. The pleading cycle established by that public notice ended on November 1, 1996.

The Wireless Telecommunications Bureau now solicits comments on an additional request for waiver of the down payment requirements. In this instance, the Mass Media Bureau issued a public notice on October 4, 1996, identifying the Basic Trading Area (BTA) authorizations that the Bureau was prepared to issue upon appropriate payments by Multipoint Distribution Service (MDS) auction winners (Report No. D-884). For the small business applicants listed, the second half of the down payment was due on October 11, 1996. The following party submitted the second half of the down payment late:

Pacific Wireless Cable, Inc.

Waiver filed October 15, 1996

Markets won: BTAs 490 and 493

Interested parties should file comments by November 22, 1996, and reply comments by November 27, 1996, with the Secretary, FCC, 1919 M Street, N.W., Washington, D.C. 20554. A copy should also be sent to Wireless Telecommunications Bureau, Room 7002, FCC, Washington, D.C. 20554. Upon the filing of formal oppositions, waiver requests become restricted proceedings and *ex parte* presentations are prohibited. See 47 C.F.R.

§§ 1.1202(e)(1) and 1.1208(c)(1)(i)(B). Copies of the waiver request, comments and replies may be obtained from the Commission's duplicating contractor: International Transcription Service, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, (202) 857-3500. Copies are also available for public inspection during regular business hours in Room 207, 2033 M Street, N.W., as well as in Room 5608, 2025 M Street, N.W., Washington, D.C. For further information, please contact Arthur Lechtman, Wireless Telecommunications Bureau, Auctions Division at (202) 418-0660.