



PUBLIC NOTICE

**FEDERAL COMMUNICATIONS COMMISSION
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DA 97-636
March 27, 1997

AUCTION OF WIRELESS COMMUNICATIONS SERVICE (WCS)

Status of Applications to Participate in WCS Auction

Report No. AUC-97-14-B (Auction No. 14)

The Federal Communications Commission (FCC) has received 43 timely-filed FCC Form 175 applications to participate in Auction No. 14 which begins on Tuesday, April 15, 1997. The auction consists of 128 licenses in the Wireless Communications Service ("WCS"). As explained below, the applications have been reviewed for completeness and compliance with the Commission's rules, and have been classified into the following categories:

●	ACCEPTED FOR FILING	27 APPLICATIONS
●	INCOMPLETE	16
	APPLICATIONS	

Applications classified as accepted for filing are listed alphabetically in Attachment A. These applicants will become qualified bidders upon receipt of the required upfront payment as discussed below. The upfront payment deadline is 6:00 p.m. ET, April 4, 1997. They need take no further action with respect to their FCC Form 175 applications except as may be necessary to keep their applications up to date. *See* 47 C.F.R. §§ 1.65 and 1.2106.

Applications classified as incomplete are listed alphabetically in Attachment B. Each application will become acceptable for filing only if the applicant (1) resubmits its FCC Form 175 by 5:30 p.m. ET on April 4, 1997, to correct the minor deficiencies indicated, and (2) makes the required upfront payment by 6:00 p.m. ET, April 4, 1997, as discussed below. Applicants must also keep their applications up to date as required. *See* 47 C.F.R. §§ 1.65 and 1.2106.

Waiver requests: Some applications include waiver requests. These applications are indicated by asterisks in Attachment A; acceptance of these applications for filing should not be interpreted as a resolution of the waiver requests.

RESUBMISSION

Corrected FCC Form 175 applications must be filed no later than 5:30 p.m. ET on April 4, 1997. As with the initial FCC Form 175s filed for this auction, resubmitted applications must be filed electronically. The resubmission period is the only opportunity to cure FCC Form 175 defects. Late resubmissions will not be accepted.

As described more fully in the Commission's rules, applicants may make only minor corrections to their FCC Form 175; major modifications (*e.g.*, changing the market selection, changing control of the applicant or changing the certifying official) will not be accepted. *See* 47 C.F.R. §§ 1.2105 and 27.204(b).

UPFRONT PAYMENT DEADLINE

Upfront payments and accompanying FCC Remittance Advice (FCC Form 159s) for this auction are due at Mellon Bank, Pittsburgh, Pennsylvania, on April 4 1997. Payments must be by wire transfer and must be received by Mellon Bank by 6:00 ET on the due date. No other upfront payment method is acceptable for this auction. *See* Tab B of the Bidder Information Package for detailed upfront payment instructions.

**NOTE: The BNF: FCC/AC number has been changed
for the upfront payment. The new number is:
BNF: FCC/AC--911-6878.**

OTHER IMPORTANT INFORMATION

- **Application Review:** Applicants can use the FCC Form 175 review software to review all FCC Form 175s filed for the WCS auction.
- **Qualified bidders/Upfront payment status:** The Bureau will release a public notice following the April 4, 1997 resubmission deadline announcing all qualified bidders and bidding instructions. This public notice will also provide information regarding upfront payment status.
- **Anti-collusion rule:** As of the March 25, 1997 short-form filing deadline, applicants are generally prohibited from communicating with other applicants for the same geographic areas – even for different licenses in the same geographic area (*e.g.*, A and B in the same MEA) – regarding bids, bidding strategies or settlements. There is an exception, however, where applicants entered into a bidding agreement before the March

25 short-form filing deadline and disclosed the existence of the agreement in the short-form application. In addition, applicants are reminded that they are subject to the antitrust laws, which are designed to prevent anti-competitive behavior in the marketplace such as bid rigging, price fixing and splitting markets. Winning bidders will be required to disclose in their long-form applications (FCC Form 600) the specific terms, conditions and parties involved in all bidding consortia, joint ventures, partnerships and other arrangements entered into relating to the competitive bidding process. Bidders found to have violated the anti-collusion rule may be subject to sanctions. Any potential antitrust violations will also be enforced. *See* 47 C.F.R. §§ 1.2105(c), 1.2107(d), 1.2109(d) and §27.204(c).

- **Ex parte rule:** Applicants should also be aware that the Commission has generally exempted auction proceedings from the strict requirements of the *ex parte* rule (47 C.F.R. § 1.1208).¹
- **Bidder information packages:** Applicants who do not yet have the Bidder Information Package for this auction (or need additional copies) can order it by calling the FCC National Call Center at 888-CALL-FCC (225-5322), or download it from the Commission's world wide web internet page at <http://www.fcc.gov/auctions.html>.
- **Remote bidding software:** Applicants are reminded that bidding for this auction is by electronic means only. Qualified bidders must purchase remote bidding software in order to bid. To ensure timely delivery of remote bidding software before the auction begins, the Commission must receive software orders by 5:30 p.m. ET on Friday, April 4, 1997. An order form is located on page 45 of the Bidder information Package.
- **Bidding contingency plan:** Bidders should develop comprehensive contingency plans they can implement quickly in case they experience difficulty participating in the auction. Unlike previous auctions, there will not be FCC telephone bid assistants that bidders could use to place bids. The FCC will correct any problems within Commission-controlled facilities. Bidders are solely responsible for anticipating and overcoming problems such as bidder computer crashes, local telephone service interruptions, adverse local weather conditions, unavailability of authorized bidders, loss of confidential security codes, etc.
- **Mock auction:** All applicants whose short-form applications have been accepted for filing are eligible to participate in a mock electronic auction beginning on Thursday, April 10, 1997. When software for the mock auction is posted for downloading, its availability will be announced by public notice.

¹ *See* "Commission Announces that Mutually Exclusive 'Short-Form' Applications (Form 175) to Participate in Competitive Bidding Process ('Auctions') Are Treated as Exempt for Ex Parte Purposes," *Public Notice*, 9 FCC Rcd 6760 (1994).

- **Minimum acceptable bids:** There will not be a minimum opening bid for WCS licenses. The specific formula for the minimum bid increment for each license will be explained in a public notice which is scheduled to be released the week of March 31, 1997.

For additional information regarding this public notice, please contact Louis Sigalos, Josh Roland or Thomas Horan, Auctions Division, Wireless Telecommunications Bureau, at 202-418-0660.

- FCC -

**FCC Wireless Communications Srvc Auction
Form 175 Accepted List (Initial)
Auction ID:14**

FCC Account #	Name/ License Applied For	Waiver Requested
0223456544	BTA Ventures II, Inc.	
	ALL	
2035448855	BalRivgam, L.L.C.	
	ALL	
0582234559	BellSouth Wireless Cable, Inc.	
	ME07-A ME07-B ME08-A ME08-B ME09-A ME09-B ME10-A ME10-B ME11-A ME11-B ME22-A ME22-B ME23-A ME23-B ME24-A ME24-B ME25-A ME25-B ME26-A ME26-B ME27-A ME27-B ME52-A ME52-B RE02-C RE02-D RE04-C RE04-D RE12-C RE12-D	
0541443350	CFW Communications Company	
	ALL	
0521987282	Cellutec	
	ALL	
4153624022	Coloma Wireless, Inc.	
	ALL	
0522025122	DigiVox Telecom, Inc.	
	ALL	
0911579687	Digital Satellite Broadcasting Corporation	
	RE01-C RE01-D RE02-C RE02-D RE03-C RE03-D RE04-C RE04-D RE05-C RE05-D RE06-C RE06-D RE07-C RE07-D RE08-C RE08-D RE10-C RE10-D RE12-C RE12-D	
0411813377	EPCOM Ltd.	
	ME20-A ME20-B	
0470181440	HAMILTON TELEPHONE COMPANY	
	ALL	
0281482843	IWL Communications, Inc.	
	ME52-A ME52-B RE12-C RE12-D	

**FCC Wireless Communications Srvc Auction
Form 175 Accepted List (Initial)
Auction ID:14**

Attachment A

FCC Account #	Name/ License Applied For	Waiver Requested
8183040629	Integrated WCS Partners	
	ALL	
0421407240	McLeod, Inc.	
	ME17-A ME17-B ME18-A ME18-B ME20-A ME20-B ME21-A ME21-B ME23-A ME23-B ME30-A ME30-B ME33-A ME33-B ME34-A ME34-B	
0113333286	Northcoast Holdings Co., Inc.	
	ALL	
0232803832	PCSCO Partnership	
	ME01-A ME01-B ME02-A ME02-B ME03-A ME03-B ME04-A ME04-B ME05-A ME05-B ME06-A ME06-B ME12-A ME12-B ME13-A ME13-B RE01-C RE01-D	
0943208912	Pacific Telesis Enterprises	*
	ME02-A ME02-B ME04-A ME04-B ME06-A ME06-B ME07-A ME07-B ME08-A ME08-B ME09-A RE06-D RE07-C RE07-D RE08-C RE08-D RE09-C RE09-D RE10-C RE10-D RE11-C RE11-D ME09-B ME10-A ME10-B ME11-A ME11-B ME12-A ME12-B ME13-A ME13-B ME14-A ME14-B RE12-C RE12-D ME15-A ME15-B ME16-A ME16-B ME17-A ME17-B ME19-A ME19-B ME20-A ME20-B ME21-A ME21-B ME22-A ME22-B ME23-A ME23-B ME24-A ME24-B ME25-A ME25-B ME26-A ME26-B ME27-A ME27-B ME33-A ME33-B ME34-A ME34-B ME40-A ME40-B ME41-A ME41-B ME42-A ME42-B ME43-A ME43-B ME44-A ME44-B ME45-A ME45-B ME46-A ME46-B ME47-A ME47-B ME48-A ME48-B ME49-A ME49-B ME50-A ME50-B ME51-A ME51-B ME52-A ME52-B RE06-C	
6097996563	Pacific Triangle Communications	
	ALL	
0480568142	Pioneer Telephone Association, Inc.	
	ALL	
0133692695	Primosphere Limited Partnership	
	RE01-C RE01-D RE02-C RE02-D RE03-C RE03-D RE04-C RE04-D RE05-C RE05-D RE06-C RE06-D RE10-C RE10-D	
0720826933	Rig Telephones Inc DBA DATACOM	
	ME52-A ME52-B RE12-C RE12-D	
0721311468	Shell Offshore Services Company	
	ALL	

**FCC Wireless Communications Srvc Auction
Form 175 Accepted List (Initial)
Auction ID:14**

Attachment A

FCC Account #	Name/ License Applied For	Waiver Requested
0751905705	Southwestern Bell Mobile Systems, Inc.	*
	ME01-A ME01-B ME03-A ME03-B ME05-A ME05-B ME18-A ME18-B	
0752674595	Southwestern Bell Wireless, Inc.	*
	ME28-A ME28-B ME29-A ME29-B ME30-A ME30-B ME31-A ME31-B ME32-A ME32-B ME35-A ME35-B ME36-A ME36-B ME37-A ME37-B ME38-A ME38-B ME39-A ME39-B	
8165595202	SprintCom, Inc.	
	ALL	
7037413899	Telecorp Management Corp., Inc.	
	ALL	
0741207591	Valley Telephone Cooperative, Inc.	
	ME38-A ME38-B	
0911686827	Western PCS BTA I Corporation	
	ALL	

**FCC Wireless Communications Srvc Auction
Form 175 Incomplete List (Initial)
Auction ID: 14**

Attachment B

(Sorted by Applicant)

Date of Report: 3/27/97

The following entries have been found to be deficient in completing their Form 175 for the following reasons:

FCC Account #	Name	Error Description	Waiver Requested
4107308499	A & B Company	Invalid Attachments	
0920156334	Alaskan Choice Television, L.L.C.	Invalid Attachments	
0510368365	Bachow/Coastel, LLC	Invalid Attachments	
0232751747	CS WIRELESS SYSTEMS, INC.	Invalid Attachments	
0310241390	Cincinnati Bell Telecommunication Services, Inc.	Invalid Attachments	
6109953760	Comcast WCS Communications, Inc.	Invalid Attachments	
7032779898	Howlin' Wolf WCS, Inc.	Invalid Attachments	
9073452630	Jeremy Lansman	Invalid Attachments	
0770294597	Metricom, Inc.	Invalid Attachments	
0510345941	Omnipoint Data Company, Inc.	Invalid Attachments	
9088340562	Pacific Triangle Communications	Invalid Attachments	
0752526672	Superior Communications Corporation	Invalid Attachments	
0112907608	Tel/Logic Inc.	Invalid Attachments	
0660536757	Telesolutions, Ltd.	Invalid Attachments	
0043160187	Triad Cellular Corporation	Invalid Attachments	
0390476280	WISCONSIN ELECTRIC POWER COMPANY	Invalid Attachments	