



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 97-2081
September 25, 1997

AUCTION OF LOCAL MULTIPOINT DISTRIBUTION SERVICE

Auction Notice and Filing Requirements for 986 Basic Trading Area ("BTA") Licenses in the 28 GHz and 31 GHz Bands, Scheduled for December 10, 1997

Report No. AUC-97-17-A (Auction No. 17)

1. INTRODUCTION

Local Multipoint Distribution Service ("LMDS") Licenses to Be Auctioned: The Federal Communications Commission ("FCC" or "Commission") will hold an auction for 986 licenses to provide LMDS in the 28 GHz and 31 GHz bands. Two licenses will be offered in each of 493 BTAs and BTA-like areas in the United States (see Attachment A for a complete listing of licenses).¹ One license, in frequency block A, will authorize service on 1,150 megahertz of spectrum in both the 28 GHz and 31 GHz bands. The second license, frequency block B, will authorize service on 150 megahertz of spectrum in the 31 GHz band (see Attachment B for list of incumbent licensees and how they are affected). Each frequency block encompasses the following spectrum:

Block A (1,150 megahertz): 28 GHz band: 27,500 - 28,350 MHz and 29,100 -

Rand McNally is the copyright owner of the Major Trading Area (MTA) and Basic Trading Area (BTA) Listings, which list the BTAs contained in each MTA and the counties within each BTA, as embodied in Rand McNally's Trading Area System MTA/BTA Diskette, and geographically represented in the map contained in Rand McNally's Commercial Atlas & Marketing Guide. The conditional use of Rand McNally copyrighted material by interested persons is authorized under a blanket license agreement dated February 10, 1994, and covers use by LMDS applicants. This agreement requires authorized users of the material to include a legend on reproductions (as specified in the license agreement) indicating Rand McNally ownership.

29,250 MHz² and 31 GHz band: 31,075 - 31,225 MHz

Block B (150 megahertz): 31 GHz band: 31,000 - 31,075 MHz and
31,225 - 31,300 MHz

Auction Date: The auction will commence on December 10, 1997. The initial schedule for bidding will be announced by public notice at least one week before the start of the auction. Unless otherwise announced, bidding will be conducted on each business day until bidding has stopped on all licenses.

Auction Title: LMDS - Auction No. 17.

Bidding Methodology: Simultaneous multiple round bidding. Bidding will be permitted only from remote locations, either electronically (by computer) or telephonically.

Pre-Auction Deadlines:

- Auction Seminar October 30, 1997
- Short-Form Application (FCC Form 175) November 17, 1997, 5:30 p.m. ET
(Applications are not due on November 10 as previously announced on July 30, 1997)
- Upfront Payments (via wire transfer) December 1, 1997, 6:00 p.m. ET
(Payments are not due on November 24 as previously announced on July 30, 1997)
- Orders for Remote Bidding Software December 1, 1997, 5:30 p.m. ET
- Mock Auction December 8, 1997

Telephone Contacts:

- FCC National Call Center 888-CALL-FCC (888-225-5322)
(For Bidder Information Packages, General Auction Information, and Seminar Registration,
press option #2 at the prompt)
FCC Technical Support Hotline 202-414-1250

List of Attachments:

- Attachment A: List of Licenses Offered
- Attachment B: Existing 28 GHz Licensee and 31 GHz Licensees
- Attachment C: Guidelines for Completion of FCC Forms 159 and 175 and Exhibits
- Attachment D: Electronic Filing of FCC Form 175
- Attachment E: Summary Listing of Documents from the Commission and the
Wireless Telecommunications Bureau Addressing Application of the
Anti-Collusion Rules

Operations to take place in the 29,100 - 29,250 MHz band are governed by 47 C.F.R. §§ 101.103(g) and (h), 101.113(c), 101.133(d), and 101.147(t), which are new provisions designed to facilitate the sharing of this spectrum by LMDS, GSO/FSS gateways, and MSS feeder link licensees. These provisions allow only hub-to-subscribers transmissions by LMDS licensees in this band.

Participation: Those wishing to participate in the auction must:

- Submit a short-form application (FCC Form 175) by the above-listed deadline.
- Submit an upfront payment and an FCC Remittance Advice Form (FCC Form 159) by the above-listed deadline.
- Comply with all provisions outlined in this Public Notice.

Prohibition of Collusion: To ensure the competitiveness of the auction process, the Commission's Rules prohibit applicants for the same BTA from communicating with each other during the auction about bids, bidding strategies, or settlements. This prohibition begins with the filing of short-form applications, and ends when winning bidders submit their first down payments. The only exception is where applicants enter into a bidding agreement before filing their short-form applications, and disclose the existence of the agreement in their short-form applications. See 47 C.F.R. § 1.2105(c).

Bidder Information Package: More complete details about this auction are contained in a Bidder Information Package. The Commission will provide one copy to each company free of charge. Additional copies may be ordered at a cost of \$16.00 each, including postage, payable by Visa or Master Card, or by check payable to "Federal Communications Commission" or "FCC." To place an order, contact the FCC National Call Center at 888-CALL-FCC (888-225-5322, press option #2 at the prompt). Prospective bidders who have already contacted the FCC expressing an interest in this auction will receive a Bidder Information Package in two to three weeks, and need not call again unless they wish to order additional copies.

Relevant Authority: Prospective bidders must familiarize themselves thoroughly with the Commission's Rules relating to LMDS, contained in Title 47, Part 101 of the Code of Federal Regulations, and those relating to application and auction procedures, contained in Title 47, Part 1 of the Code of Federal Regulations.

Prospective bidders must also be thoroughly familiar with the procedures, terms and conditions (collectively, "Terms") contained in the *Second Report and Order* in PP Docket No. 93-253, 9 FCC Rcd 2348 (1994); the *Second Memorandum Opinion and Order* in PP Docket No. 93-253, 9 FCC Rcd 7245 (1994); the *Erratum to the Second Memorandum Opinion and Order* in PP Docket No. 93-253 (released Oct. 19, 1994); the *First Report and Order and Fourth Notice of Proposed Rule Making* in CC Docket No. 97-297, FCC 96-311 (released July 22, 1996); the *Second Report and Order, Order on Reconsideration, and Fifth Notice of Proposed Rule Making* in CC Docket No. 96-297, FCC 97-82 (released March 13, 1997) ("*LMDS Second R&O*"); and the *Second Order on Reconsideration* in CC Docket No. 97-297, FCC 97-323 (released September 12, 1997) (collectively referred to as the "Relevant Orders").

The Terms contained in the Commission's Rules, Relevant Orders, Public Notices and Bidder Information Package are not negotiable. Prospective bidders should review these auction documents thoroughly prior to the auction to make certain that they understand all of the provisions and are willing to be bound by all of the Terms before participating in the auction.

Potential bidders should also be aware that petitions for reconsideration of the Commission's actions in the *LMDS Second R&O* have been filed; that several, but not all, matters raised in petitions for reconsideration have been addressed in the *Second Order on Reconsideration*; and that the Terms adopted therein are therefore subject to change upon reconsideration or appeal. There are also petitions for reconsideration filed against the Commission's actions in the *First Report and Order*, these petitions are pending an order on reconsideration.

The Commission may amend or supplement the information contained in our Public Notices or the Bidder Information Package at any time, and will issue public notices to convey any new or supplemental information to bidders. It is the responsibility of all prospective bidders to remain current with all Commission Rules and with all public notices pertaining to this auction. Copies of most Commission documents, including public notices, can be retrieved from the FCC Internet node via anonymous ftp@ftp.fcc.gov or the FCC World Wide Web site at <http://www.fcc.gov>. Additionally, documents may be obtained for a fee by calling the Commission's copy contractor, International Transcription Service, Inc., at 202-857-3800.

Incumbent Licensees: Although LMDS operations are permitted in the 31,000 - 31,075 MHz and 31,225 - 31,300 MHz bands, incumbent city licensees and private business users operating in these two segments are entitled to protection against harmful interference from any LMDS operation in these blocks. LMDS service providers will be entitled to interference protection from any other presently-authorized primary users in the 31,075 - 31,225 MHz bands. More detailed information is provided in Attachment B.

Block A of the New York BTA is encumbered by a pre-existing licensee in the New York Primary Metropolitan Statistical Area. The incumbent licensee, CellularVision of New York, is entitled to interference protection. See Attachment B.

Reminder to potential Non-geostationary Mobile Satellite Service applicants/licensees: Section 101.103(h) of the Commission's Rules requires that no more than 15 days after the release of this Public Notice, NGSO-MSS feeder link earth station complex applicants/licensees planning to operate in the 29,100-29,250 MHz band pursuant to Section 25.257 of the rules, file with the Commission a set of geographical coordinates consistent with Rule Section 101.103(h)(2). This information should be directed to the attention of:

Robert James
Federal Communications Commission
Wireless Telecommunications Bureau
1919 M Street, NW
Room 8102
Washington, D.C. 20554

Other Proceedings: Currently pending in the U.S. Court of Appeals for the D.C. Circuit is a consolidated petition for review of the *LMDS Second R&O* and *Order on Reconsideration*. See *James L. Melcher v. Federal Communications Commission and United States of America*, Case No. 93-110 (and consolidated cases) dealing with two issues: eligibility restrictions for incumbent local

exchange carriers ("ILECs") to own LMDS licenses "in-region," and the denial of petitions for reconsideration of the 971 waiver applications for service in the 28 GHz band which were previously dismissed. Also pending before the Commission are several petitions for reconsideration of the *LMDS Second R&O* and *Order on Reconsideration* dealing with the issues of: the eligibility restriction on ILECs; the allocation of the 31 GHz band to LMDS; the reinstatement of dismissed applications in the 31 GHz band; the application of a new frequency tolerance to the 31 GHz band; and further reconsideration of the 971 waiver applications for service in the 28 GHz band which were previously dismissed; as well as petitions for clarification of certain technical and service rules. A memorandum opinion and order on reconsideration responding to these petitions will be released in the near future.

Bidder Alerts: All applicants must certify on their FCC Form 175 applications under penalty of perjury that they are legally, technically, financially and otherwise qualified to hold a license, and not in default on any payment for Commission licenses (including down payments) or delinquent on any non-tax debt owed to any Federal agency. Prospective bidders are reminded that submission of a false certification to the Commission is a serious matter that may result in severe penalties, including monetary forfeitures, license revocations, exclusion from participation in future auctions, and/or criminal prosecution.

The FCC makes no representations or warranties about the use of this spectrum for particular services. Applicants should be aware that an FCC auction represents an opportunity to become an FCC licensee in this service, subject to certain conditions and regulations. An FCC auction does not constitute an endorsement by the FCC of any particular services, technologies or products, nor does an FCC license constitute a guarantee of business success. Applicants should perform their individual due diligence before proceeding as they would with any new business venture.

As is the case with many business investment opportunities, some unscrupulous entrepreneurs may attempt to use the LMDS auction to deceive and defraud unsuspecting investors. Common warning signals of fraud include the following:

- ☞ The first contact is a "cold call" from a telemarketer, or is made in response to an inquiry prompted by a radio or television infomercial.
- ☞ The offering materials used to invest in the venture appear to be targeted at IRA funds, for example by including all documents and papers needed for the transfer of funds maintained in IRA accounts.
- ☞ The amount of the minimum investment is less than \$25,000.
- ☞ The sales representative makes verbal representations that: (a) the Internal Revenue Service ("IRS"), Federal Trade Commission ("FTC"), Securities and Exchange Commission ("SEC"), FCC, or other government agency has approved the investment; (b) the investment is not subject to state or federal securities laws; or (c) the investment will yield unrealistically high short-term profits. In addition, the

offering materials often include copies of actual FCC releases, or quotes from FCC personnel, giving the appearance of FCC knowledge or approval of the solicitation.

Information about deceptive telemarketing investment schemes is available from the FTC at 202-326-2222 and from the SEC at 202-942-7040. Complaints about specific deceptive telemarketing investment schemes should be directed to the FTC, the SEC, or the National Fraud Information Center at 800-876-7060. Consumers who have concerns about specific LMDS proposals may also call the FCC National Call Center at 888-CALL-FCC (888-225-5322).

2. BIDDER ELIGIBILITY AND SMALL BUSINESS PROVISIONS

A. General Eligibility Criteria

As described above, this auction offers two licenses: one license for 1,150 megahertz of spectrum in the 28 GHz and 31 GHz bands; and one license for 150 megahertz of spectrum in the 31 GHz band; in each of 493 BTA and BTA-like areas, for a total of 986 licenses. General eligibility to provide LMDS service, subject to certain restrictions outlined below, is afforded to entities which are not precluded under 47 C.F.R. §§ 101.7, 101.1001, and 101.1003.

(1) Eligibility Restrictions

(a) 1,150 megahertz licenses

ILECs and cable television companies are subject to certain restrictions on their eligibility to own an attributable interest in the 1,150 megahertz LMDS license in their authorized or franchised service areas ("in-region"). An incumbent is defined as "in-region" if its authorized service area represents 10 percent or more of the population of the BTA. A 20 percent or greater ownership level constitutes an attributable interest in a license. ILECs and cable companies are permitted to participate fully in the auction of the 1,150 megahertz LMDS licenses, but are required to divest any overlapping interests within 90 days if they win a license at the auction. The eligibility restrictions terminate on the third anniversary of the effective date of the LMDS rules. These restrictions may be extended beyond the three-year period, if, upon a review at the end of this period, the Commission determines that sufficient competition has not developed. The Commission may waive the restriction in individual cases upon a showing of good cause.

(b) 150 megahertz licenses

All entities that meet the Commission's general eligibility criteria, including ILECs and cable television companies, are eligible to own attributable interests in the 150 megahertz license in any BTA.

(2) Determination of Revenues

For purposes of determining which entities qualify as very small businesses, small businesses, and entrepreneurs, the Commission will attribute to the applicant the gross revenues of all of its controlling principals and affiliates. For purpose of this auction, the Commission will not impose specific equity requirements on controlling principals. However, in order to qualify as a very small business, small business, or entrepreneur an applicant's qualifying principals must maintain control of the applicant. The term "control" includes both *de facto* and *de jure* control of the applicant. Typically, *de jure* control is evidenced by ownership of at least 50.1 percent of an entity's voting stock. *De facto* control is determined on a case-by-case basis. The following are some common indicia of control:

- the entity constitutes or appoints more than 50 percent of the board of directors or management committee;
- the entity has authority to appoint, promote, demote, and fire senior executives that control the day-to-day activities of the licensee; or
- the entity plays an integral role in management decisions.

(3) Application Showing

Applicants should note that they will be required to file supporting documentation to establish that they satisfy the eligibility requirements for this auction. See 47 C.F.R. §§ 1.2105 and 101.1109.

B. Bidding Credits

Qualifying LMDS applicants are eligible for bidding credits. The size of an LMDS bidding credit depends on the annual gross revenues of the bidder and its controlling principles and affiliates, as averaged over the preceding three years:

- A bidder with gross annual revenues of not more than \$15 million receives a 45 percent discount on its winning bids for LMDS licenses;
- A bidder with gross annual revenues of more than \$15 million but not more than \$40 million receives a 35 percent discount on its winning bids for LMDS licenses; and
- A bidder with gross annual revenues of more than \$40 million but not more than \$75 million receives a 25 percent discount on its winning bids for LMDS licenses.

Bidding credits are not cumulative: applicants that qualify receive either the 25 percent, the 35 percent, or the 45 percent bidding credit, but not all. The definitions of very small business, small business, and entrepreneur (including calculation of gross annual revenue) are set forth in 47 C.F.R. § 101.1112.

LMDS bidders should note that unjust enrichment provisions apply to winning bidders that use bidding credits and subsequently assign or transfer control of their BTA licenses to an entity not qualifying for the same levels of bidding credits. See 47 C.F.R. §§ 101.1107(e).

3. PRE-AUCTION PROCEDURES

A. Short-Form Application (FCC Form 175) -- Due November 17, 1997

In order to be eligible to bid in this auction, applicants must first submit an FCC Form 175 application. **This application must be received at the Commission by 5:30 p.m. ET on November 17, 1997.** Late applications will not be accepted.

There is no application fee required when filing an FCC Form 175. However, to be eligible to bid, an applicant must submit an upfront payment. See Part 3.C, *infra*.

(1) Filing Options

Auction applicants are strongly encouraged to file their applications electronically in order to take full advantage of the greater efficiencies and convenience of electronic filing, bidding and access to bidding data. For example, electronic filing enables the applicant to: (a) receive interactive feedback while completing the application; and (b) receive immediate acknowledgement that the FCC Form 175 has been submitted for filing. In addition, only those applicants who file electronically will have the option of bidding electronically. However, manual filing (via hard copy) is also permitted. **Please note that manual filers will not be permitted to bid electronically and must bid telephonically, unless the FCC Form 175 is amended electronically prior to the resubmission date for incomplete or deficient applications. Applicants who file electronically may make amendments to their applications until the filing deadline.** The following is a brief description of each filing method.

(a) Electronic Filing

Applicants wishing to file electronically may generally do so on a 24-hour basis beginning October 27, 1997. All the information required to file the FCC Form 175 electronically (*i.e.*, software and help files) will be available over both the Internet and the FCC's Bulletin Board System ("BBS"). Information about downloading, installing, and running the FCC Form 175 application software is included in Attachment D to this Public Notice.

(b) Manual Filing

Auction applicants will be permitted to file their FCC Form 175 applications in hard copy. When any manually filed FCC Form 175 and 175-S exceeds five pages in length, the FCC additionally requires that all attachments be submitted on a 3.5-inch diskette, or the entire application be filed in a microfiche version. **Manual filers must use the September 1997 version of FCC Form 175 and the October 1995 edition of the 175-S (if applicable). Earlier versions of the FCC Form 175 will not be accepted for filing.** Copies of FCC Forms 175 and 175-S can be obtained by calling 202-418-FORM.

Manual applications may be submitted by hand delivery (including private "overnight" courier), or by U.S. mail (certified mail with return receipt recommended), addressed to:

FCC Form 175 Filing, Auction No. 17
Federal Communications Commission
Auctions & Industry Analysis Division
1270 Fairfield Road
Gettysburg, PA 17325-7245

NOTE: Manual applications delivered to any other locations will not be accepted.

(2) Completion of the FCC Form 175

Applicants should carefully review 47 C.F.R. §§ 1.2105 and 101.1104, and must complete all items on the FCC Form 175 (and 175-S, if applicable). Instructions for completing the FCC Form 175 are in Attachment C of this Public Notice.

Failure to sign a manually filed FCC Form 175 or failure to submit the required ownership information (for both electronic and manual filers) will result in dismissal of the application and loss of the ability to participate in the auction. **Only original signatures will be accepted for manually filed applications.**

(3) Electronic Review of FCC Form 175

The FCC Form 175 review software may be used to review and print applicants' FCC Form 175 applications. In other words, applicants who file electronically may review their own completed FCC Forms 175. Applicants also have access to view other applicants' completed FCC Forms 175, after the filing deadline has passed and the FCC has issued a public notice explaining the status of the applications. There is a fee of \$2.30 per minute for accessing this system. See Attachment D for details.

B. Application Processing and Minor Corrections

After the deadline for filing the FCC Form 175 applications has passed, the FCC will process all timely applications to determine which are acceptable for filing, and subsequently will issue a public notice identifying: (1) those applications accepted for filing (including FCC account numbers and the licenses for which they applied); (2) those applications rejected; and (3) those applications that have minor defects that may be corrected, and the deadline for filing such corrected applications.

As described more fully in the Commission's Rules, after the November 17, 1997, short-form filing deadline, applicants may make only minor corrections to their FCC Form 175 applications. Applicants will not be permitted to make major modifications to their applications (e.g., change their license selections, change the certifying official or change control of the applicant). See 47 C.F.R. § 1.2105.

C. Upfront Payments -- Due December 1, 1997

In order to be eligible to bid in the auction, applicants must submit an upfront payment accompanied by an FCC Remittance Advice (FCC Form 159). **Manual filers must use the July 1997 version of FCC Form 159. Earlier versions of this form will not be accepted.** All upfront payments must be received at Mellon Bank in Pittsburgh, Pennsylvania, by 6:00 p.m. ET on December 1, 1997.

Please note that:

- **All payments must be made in U.S. dollars.**
- **All payments must be made by wire transfer. No other form of payment will be accepted.**
- **Upfront payments for Auction No. 17 go to a lockbox number different from the ones used in previous FCC auctions, and different from the lockbox number to be used for post-auction payments.**
- **Failure to deliver the upfront payment by the December 1, 1997 deadline will result in dismissal of the application and disqualification from participation in the auction.**

(1) Wire Transfers

For this auction, the FCC requires applicants to make their upfront payments by wire transfer, which experience has shown provides the greatest reliability and efficiency. Wire transfer payments must be received by **6:00 p.m. ET on December 1, 1997**. To avoid untimely payments, applicants should discuss arrangements (including bank closing schedules) with their banker several days before they plan to make the wire transfer, and allow sufficient time for the transfer to be initiated and completed before the deadline. Applicants will need the following information:

ABA Routing Number: 043000261

Receiving Bank: Mellon Pittsburgh

BNF: FCC/AC--9100180

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

"AUCTIONPAY"

TAXPAYER IDENTIFICATION NO. (same as FCC Form 175, block 7)

PAYMENT TYPE CODE (enter "AWLU")

FCC CODE (same as FCC Form 159, Block 23A: "17")

PAYER NAME (same as FCC Form 175, Block 1)

LOCKBOX NO. 358420

NOTE: The BNF and Lockbox number are specific to the upfront payments for this auction; do not use BNF or Lockbox numbers from previous auctions.

Applicants must fax a completed FCC Form 159 to Mellon Bank at 412-236-5702 at least one hour before placing the order for the wire transfer (but on the same business day). On the cover sheet of the fax, write "Wire Transfer - Auction Payment for Auction Event No. 17."

(2) FCC Form 159

Each upfront payment must be accompanied by a completed FCC Remittance Advice (FCC Form 159). Proper completion of FCC Form 159 is critical to ensuring correct credit of upfront payments. Detailed instructions for completion of FCC Form 159 are included in Attachment C to this Public Notice and will also be included in the Bidder Information Package.

(3) Amount of Upfront Payment

The amount of the upfront payment required to bid on a particular license(s) in Auction No. 17 has been calculated in three tiers, based on the population ("pop") figures for the BTA(s), and adjusted to take into account the spectrum bandwidth that is being licensed in frequency block A and in frequency block B. The upfront payment associated with each license offered is listed in Attachment A.

The formula utilized to calculate upfront payments is as follows:

<u>BTA Population</u>	x	<u>Frequency Block A</u>	x	<u>Frequency Block B*</u>
		<u>Per Pop Multiple*</u>		
Over 1,000,000	x	\$0.90	x	10%
100,000 - 1,000,000	x	\$0.60	x	10%
Under 100,000	x	\$0.30	x	10%

* All upfront payments are rounded up to the nearest dollar. A minimum upfront payment amount has been set at \$2,500 per license.

Please note that upfront payments are not attributed to specific licenses, but instead will be translated to bidding units to define the bidder's maximum bidding eligibility. Thus, an applicant does not have to make an upfront payment to cover all licenses for which the applicant has applied. Rather, the total upfront payment defines the maximum amount of bidding units on which the applicant will be permitted to bid (including standing high bids) in any single round of bidding. In order to be able to place a bid on a license, in addition to having specified that license on FCC Form 175, a bidder must have an eligibility level that meets or exceeds the number of bidding units assigned to that license. At a minimum, an applicant's total upfront payment must be enough to establish eligibility to bid on at least one of the licenses applied for on FCC Form 175, or else the applicant will not be eligible to participate in the auction.

In calculating the upfront payment amount, an applicant should determine the maximum number of bidding units it may wish to bid on in any single round, and submit an upfront payment covering that number of bidding units.

NOTE: An applicant may, on its FCC Form 175, apply for every license being offered, but its actual bidding in any round will be limited by the bidding units reflected in its upfront payment. As explained in Parts 4.A(2) and 4.A(4), *infra*, bidders will be required to remain active in each round of the auction on a specified percentage of the bidding units reflected in their upfront payments in order to retain their current eligibility.

(4) Applicant's Wire Transfer Information for Purposes of Refunds

Because experience with prior auctions has shown that in most cases wire transfers provide quicker and more efficient refunds than paper checks, the Commission plans to use wire transfers for all Auction No. 17 refunds. To avoid delays in processing refunds, applicants should include wire transfer instructions with any refund request they file; they may also provide this information in advance by faxing it to the FCC Billings and Collections Branch, ATTN: Regina Dorsey or Linwood Jenkins, at 202-418-2843. (Applicants should also note that implementation of the Debt Collection Improvement Act of 1996 requires the FCC to obtain a Taxpayer Identification Number (TIN) before it can disburse refunds.) Eligibility for refunds is discussed in Part 5.D, *infra*.

D. Auction Registration

Approximately five business days before the auction, the FCC will issue a public notice announcing all qualified bidders for the auction. Qualified bidders are those applicants whose FCC Form 175 applications have been accepted for filing and who have timely submitted upfront payments sufficient to make them eligible to bid on at least one of the licenses for which they applied.

All qualified bidders are automatically registered for the auction. Registration materials will be distributed prior to the auction by two separate overnight mailings, each containing part of the confidential identification codes required to place bids. **These mailings will be sent only to the contact person at the applicant address listed in the FCC Form 175.**

Applicants who do not receive both registration mailings will not be able to submit bids. Therefore, any qualified applicant who has not received both mailings by **noon on Monday, December 8, 1997** should contact the FCC National Call Center at 888-CALL-FCC (888-225-5322, press option #2 at the prompt). Receipt of both registration mailings is critical to participating in the auction and each applicant is responsible for ensuring it has received all of the registration material.

Qualified bidders should note that lost login codes, passwords or bidder identification numbers can be replaced only by appearing in person at the FCC Auction Headquarters located at 2 Massachusetts Avenue, N.E., Washington, D.C. 20002. Only an authorized representative or certifying official, as designated on an applicant's FCC Form 175, may appear in person with two forms of identification (one of which must be a photo identification) in order to receive replacement codes.

E. Remote Electronic Bidding Software

Qualified bidders who file or amend the FCC Form 175 electronically are allowed to bid electronically, but must purchase remote electronic bidding software for \$175.00, including shipping and handling, by **December 1, 1997**. (Auction software is tailored to a specific auction, so software from prior auctions will not work for Auction No. 17.) Bidders who order remote bidding software by the ordering deadline will receive it with the registration mailings. A software order form will appear in a subsequent public notice.

F. Auction Seminar

On October 30, 1997 the FCC will sponsor a seminar for the LMDS auction. This seminar will be held at the Renaissance Hotel, 999 9th Street, N.W., Washington, D.C. The seminar will provide attendees with information about pre-auction procedures, conduct of the auction, FCC remote bidding software, and the LMDS service and auction rules. **Additionally, there will be an opportunity for interested parties to display equipment at this event. If interested please contact the FCC at 888-CALL-FCC (888-225-5322, press option #2 at the prompt).**

Please note that a maximum of two representatives from each company may attend, first-come first-served, on a reservation basis until room capacity is filled. To register, complete the registration form included in the Bidder Information Package.

G. Mock Auction

All applicants whose FCC Forms 175 have been accepted for filing will be eligible to participate in a mock auction beginning **December 8, 1997**. The mock auction will enable applicants to become familiar with the electronic software prior to the auction. Free demonstration software will be available for use in the mock auction. Due to different bidding procedures in the LMDS auction from previous Commission auctions, participation by all bidders is strongly recommended. Details will be announced by public notice.

4. AUCTION EVENT

The first round of the auction will begin on December 10, 1997.

A. Auction Structure

(1) Simultaneous Multiple Round Auction

The 986 LMDS BTAs will be awarded through a single, simultaneous multiple round auction. Unless otherwise announced, bids will be accepted on all licenses in each round of the auction.

(2) Maximum Eligibility and Activity Rules

As explained in Part 3.C(3), *supra*, the amount of the upfront payment submitted by a bidder determines the initial maximum eligibility (in bidding units) for each bidder. In order to ensure that the auction closes within a reasonable period of time, an activity rule requires bidders to bid actively throughout the auction, rather than wait until the end before participating. Bidders are required to be active on a percentage of their maximum eligibility during each round of the auction. Details of the specific percentages for each stage are set forth under Auction Stages in Part 4.A(4), *infra*. A bidder that does not satisfy the activity rule will either lose bidding eligibility or use an activity rule waiver, as explained by Activity Rule Waivers and Reducing Eligibility in Part 4.A(3), *infra*.

A bidder is considered active on a license in the current round if it is either the high bidder at the end of the previous bidding period and does not withdraw the high bid in the current round, or if it submits an acceptable bid in the current round (*see* Minimum Acceptable Bids in Part 4.B(2), *infra*). A bidder's activity level in a round is the sum of the bidding units associated with licenses on which the bidder is active. The minimum required activity level is expressed as a percentage of the bidder's maximum bidding eligibility, and increases as the auction progresses, as set forth under Auction Stages in Parts 4.A(4) and 4.A(5), *infra*.

(3) Activity Rule Waivers and Reducing Eligibility

Each bidder will be provided five activity rule waivers that may be used in any round during the course of the auction. Use of an activity rule waiver preserves the bidder's current bidding eligibility despite the bidder's activity in the current round being below the required minimum level. An activity rule waiver applies to an entire round of bidding and not to a particular license.

The FCC auction system assumes that bidders with insufficient activity would prefer to use an activity rule waiver (if available) rather than lose bidding eligibility. Therefore, the system will automatically apply a waiver (known as an "automatic waiver") at the end of any bidding period where a bidder's activity level is below the minimum required unless: (1) there are no activity rule waivers available; or (2) the bidder overrides the automatic application of a waiver by reducing eligibility, thereby meeting the minimum requirements.

A bidder with insufficient activity who wants to reduce its bidding eligibility rather than use an activity rule waiver must affirmatively override the automatic waiver mechanism during the

bidding period by using the reduce eligibility function in the software. In this case, the bidder's eligibility is permanently reduced to bring the bidder into compliance with the activity rules as described in Auction Stages, Part 4.A(4), *infra*. Once eligibility has been reduced, a bidder will not be permitted to regain its lost bidding eligibility.

Finally, a bidder may proactively use an activity rule waiver as a means to keep the auction open without placing a bid. If a bidder submits a proactive waiver (using the proactive waiver function in the bidding software) during a bidding period in which no bids are submitted, the auction will remain open and the bidder's eligibility will be preserved. An automatic waiver invoked in a round in which there are no new valid bids will not keep the auction open.

(4) Auction Stages

The auction is composed of three stages, which are each defined by an increasing activity rule. Below are the proposed activity levels for each stage of the auction. The FCC reserves the discretion to alter the activity percentages before and during the auction.

Stage One: In each round of the first stage of the auction, a bidder desiring to maintain its current eligibility is required to be active on licenses encompassing at least 60 percent of its current bidding eligibility. Failure to maintain the requisite activity level will result in a reduction in the bidder's bidding eligibility in the next round of bidding (unless an activity rule waiver is used). During Stage One, reduced eligibility for the next round will be calculated by multiplying the current round activity by five-thirds ($5/3$).

Stage Two: In each round of the second stage, a bidder desiring to maintain its current eligibility is required to be active on 80 percent of its current bidding eligibility. During Stage Two, reduced eligibility for the next round will be calculated by multiplying the current round activity by five-fourths ($5/4$).

Stage Three: In each round of the third stage, a bidder desiring to maintain its current eligibility is required to be active on 98 percent of its current bidding eligibility. In this final stage, reduced eligibility for the next round will be calculated by multiplying the current round activity by fifty-fortyninths ($50/49$).

CAUTION: Since activity requirements increase in each auction stage, bidders must carefully check their current activity during the bidding period of the first round following a stage transition. This is especially critical for bidders who have standing high bids and do not plan to submit new bids. In past auctions, some bidders inadvertently lost bidding eligibility or used an activity rule waiver because they did not reverify their activity status at stage transitions. Bidders may check their activity against the required minimum activity level by using the bidding software's bidding module.

(5) Stage Transitions

The auction will start in Stage One. Under the FCC's general guidelines it will advance to the next stage (*i.e.*, from Stage One to Stage Two, and from Stage Two to Stage Three) when in each of three consecutive rounds of bidding, the high bid has increased on 10 percent or less of the licenses being auctioned (as measured in bidding units). However, the FCC retains the discretion to accelerate the auction by announcement. This determination will be based on a variety of measures of bidder activity including, but not limited to, the auction activity level, the percentages of licenses (measured in terms of bidding units) on which there are new bids, the number of new bids, and the percentage increase in revenue.

(6) Auction Stopping Rules

Barring extraordinary circumstances, bidding will remain open on all licenses until bidding stops on every license. Thus, the auction will close for all licenses when one round passes during which no bidder submits a new acceptable bid on any license, applies a proactive waiver, or withdraws a previous high bid.

The FCC retains the discretion, however, to keep an auction open even if no new acceptable bids or proactive waivers are submitted, and no previous high bids are withdrawn. In this event, the effect will be the same as if a bidder had submitted a proactive waiver. Thus, the activity rule will apply as usual, and a bidder with insufficient activity will either lose bidding eligibility or use an activity rule waiver (if it has any left).

Further, in its discretion, the FCC reserves the right to declare that the auction will end after a specified number of additional rounds ("special stopping rule"). If the FCC invokes this special stopping rule, it will accept bids in the final round(s) only for licenses on which the high bid increased in at least one of the preceding specified number of rounds. The FCC intends to exercise this option only in extreme circumstances, such as where the auction is proceeding very slowly, where there is minimal overall bidding activity, or where it appears likely that the auction will not close within a reasonable period of time. Before exercising this option, the FCC is likely to attempt to increase the pace of the auction by, for example, moving the auction into the next stage (where bidders would be required to maintain a higher level of bidding activity), increasing the number of bidding rounds per day, and/or increasing the amount of the minimum bid increments for the limited number of licenses where there is still a high level of bidding activity.

(7) Auction Delay, Suspension, or Cancellation

By public notice or by announcement during the auction, the FCC may delay, suspend or cancel the auction in the event of natural disaster, technical obstacle, evidence of an auction security breach, unlawful bidding activity, administrative or weather necessity, or for any other reason that affects the fair and competitive conduct of competitive bidding. In such cases, the FCC, in its sole discretion, may elect to: resume the auction starting from the beginning of the current round; resume the auction starting from some previous round; or cancel the auction in its entirety. Network interruption may cause the FCC to delay or suspend the auction.

B. Bidding Procedures

(1) Round Structure

The initial bidding schedule will be announced by public notice at least one week before the start of the auction, and will be included in the registration mailings. The round structure for each bidding round contains a single bidding period followed by the release of the round results.

The FCC has discretion to change the bidding schedule in order to foster an auction pace that reasonably balances speed with the bidders' need to study round results and adjust their bidding strategies. The FCC may increase or decrease the amount of time for the performance and review periods, or the number of rounds per day, depending upon the bidding activity level and other factors.

(2) Minimum Opening Bid/Reserve Prices

When FCC licenses are subject to auction (*i.e.*, because they are mutually exclusive) the recently enacted Balanced Budget Act of 1997 calls upon the Commission to prescribe methods by which a reasonable reserve price is required or minimum opening bid established, unless it determines that such an assessment is not in the public interest.³ In light of the Balanced Budget Act, the Commission will release a subsequent Public Notice which will seek comment on a proposal that a reserve price and/or minimum opening bid be established for the LMDS auction.

(3) Minimum Acceptable Bids

Once there is a standing high bid on a license, a bid increment will be applied to that license to establish a minimum acceptable bid for the following round. The Commission will use its exponential smoothing methodology to calculate minimum bid increments. The exponential smoothing formula calculates the bid increment based on a weighted average of the activity received on each license in the current and all previous rounds. This methodology will tailor the bid increment for each license based on activity, rather than setting a global increment for all licenses. A detailed description of the exponential smoothing bid increment will be included in the forthcoming Bidder Information Package.

(4) High Bids

Each bid will be date- and time-stamped when it is entered into the computer system. In the event of tie bids, the Commission will identify the high bidder on the basis of the order in which bids are received by the Commission, starting with the earliest bid. The bidding software allows bidders to make multiple submissions in a round. Each bid is date- and time-stamped

Balanced Budget Act of 1997, P.L. 105-33, 111 Stat. 251 (1997); 47 U.S.C. § 309(j)(4)(F).

according to when it was submitted. Thus, bids submitted by a bidder earlier in a round will have an earlier date- and time-stamp than bids submitted later in a round.

(5) Bidding

During a bidding period, a bidder may submit bids for as many licenses as it is eligible, as well as withdraw high bids from previous bidding periods, remove bids placed in the same bidding period, or permanently reduce eligibility. Bidders also have the option of making multiple submissions and withdrawals in each bidding period, and will not have a separate period to withdraw bids. If a bidder enters multiple bids for a single license in the same round, the system takes the last bid entered as that bidder's bid for the round, and the date and time stamp of that bid reflect the latest time the bid was entered.

A bidder's maximum eligibility in the first round of the auction is determined by: (a) the licenses applied for on FCC Form 175; and (b) the upfront payment amount deposited. The bid submission screens will be tailored for each bidder to include only those licenses for which the bidder applied on its FCC Form 175. A bidder also has the option to further tailor its bid submission screens to call up specified groups of licenses.

The bidding software requires each bidder to login to the FCC Auction System during the bidding period using the FCC Account Number, Bidder Identification Number, and confidential security codes provided in the registration materials. Bidders are encouraged to download and print bid confirmations after they submit their bids.

In Auction No. 17, the screen will display a "Click on Check Box to Bid" column that provides a check box for each Minimum Bid Accepted amount in place of the bid entry field. To place a bid at the minimum acceptable bid amount for a license, a bidder must click the appropriate box to put a check mark in it and then press submit to enter the bid into the auction system. Bidders may not type in a bid for any license.

Once the click box is checked, the Bid Submission screen updates the Group Total (total dollars bid), Bid-Units, and Activity amounts, as if a bid amount had been typed. However, by using the check boxes, there is no risk of mistyping bids. Other auction screens are unchanged, as are the reports.

(6) Bid Withdrawal and Bid Removal

(a) Procedures

Before the close of a bidding period, a bidder has the option of removing any bids placed in that round. By using the remove bid function in the software, a bidder may effectively 'unsubmit' any bid placed within that round. A bidder removing a bid placed in the same round is not subject to withdrawal payments. Note that removing a bid will affect a bidder's activity for the round in which it is removed.

Once a round closes, a bidder may no longer remove a bid. However, in the next round, a bidder may withdraw standing high bids from previous rounds using the withdraw bid function. A high bidder that withdraws its standing high bid from a previous round is subject to the bid withdrawal payments specified in 47 C.F.R. §§ 101.1103(f), 1.2104(g), and 1.2109. The procedure for withdrawing a bid and receiving a withdrawal confirmation is essentially the same as the bidding procedure described in Bidding, Part 4.B(4), *supra*.

The FCC will limit the number of rounds in which bidders may place withdrawals to two rounds. These rounds will be at the bidder's discretion and there will be no limit on the number of bids that may be withdrawn in either of these rounds. Withdrawals will still be subject to the bid withdrawal payments specified in 47 C.F.R. §§ 101.1103(f), 1.2104(g), and 1.2109. Bidders should note that abuse of the Commission's bid withdrawal procedures could result in the denial of the ability to bid on a market.

If a high bid is withdrawn, the license will be offered in the next round at the second highest bid price, which may be less than, or equal to, in the case of tie bids, the amount of the withdrawn bid, without any bid increment. The FCC will serve as a "place holder" on the license until a new acceptable bid is submitted on that license.

(b) Calculation

Generally, a bidder who withdraws a standing high bid during the course of an auction will be subject to a payment equal to the lower of: (1) the difference between the net withdrawn bid and the subsequent net winning bid; or (2) the difference between the gross withdrawn bid and the subsequent gross winning bid for that license. See 47 C.F.R. §§ 101.1103(f), 1.2104(g), and 1.2109. No withdrawal payment will be assessed if the subsequent winning bid exceeds the withdrawn bid.

(7) Round Results

The bids placed during a bidding period are not published until the conclusion of that bidding period. After a bidding period closes, the FCC will compile reports of all bids placed, bids withdrawn, current high bids, new minimum accepted bids, and bidder eligibility status (bidding eligibility and activity rule waivers), and post the reports for public access.

Reports reflecting bidders' identities and bidder identification numbers for Auction No. 17 will be available before and during the auction. Thus, bidders will know in advance of this auction the identities of the bidders against which they are bidding.

(8) Auction Announcements

The FCC will use auction announcements to announce items such as schedule changes and stage transitions. All FCC auction announcements will be available on the FCC remote electronic bidding system, as well as the Internet and the FCC Bulletin Board System.

(9) Other Matters

As noted in Part 3.B, *supra*, after the short-form filing deadline, applicants may make only minor changes to their FCC Form 175 applications. For example, permissible minor changes include deletion and addition of authorized bidders (to a maximum of three) and revision of exhibits. Filers should make these changes on-line, and submit a letter to Kathleen O'Brien Ham, Chief, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, Federal Communications Commission, 2025 M Street, N.W., Room 5202, Washington, D.C. 20554 (and mail a separate copy to Matthew Moses, Auctions and Industry Analysis Division), briefly summarizing the changes. Questions about other changes should be directed to the FCC Auctions and Industry Analysis Division at 202-418-0660.

5. POST-AUCTION PROCEDURES

A. Down Payments and Withdrawn Bid Payments

After bidding has ended, the Commission will issue a public notice declaring the auction closed, identifying the winning bids and bidders for each license, and listing withdrawn bid payments due.

Within five business days after release of this auction closing notice, each winning bidder must submit sufficient funds (in addition to its upfront payment) to bring its total amount of money on deposit with the Government to 20 percent of its net winning bids (actual bids less any applicable bidding credits). See 47 C.F.R. § 101.1102(b). In addition, by the same deadline all bidders must pay any withdrawn bid amounts due under 47 C.F.R. § 1.2104(g), as discussed in Part 4.B(5), *supra*. (Upfront payments are applied first to satisfy any withdrawn bid liability, before being applied toward down payments.)

B. Long-Form Application

Within ten business days after release of the auction closing notice, winning bidders must submit a properly completed long-form application and required exhibits for **each LMDS license won** through the auction. Winning very small businesses, small businesses, and entrepreneurs must include an exhibit demonstrating their eligibility for bidding credits. See 47 C.F.R. § 101.1109(b). Further filing instructions will be provided to auction winners at the close of the auction.

C. Default and Disqualification

Any high bidder that defaults or is disqualified after the close of the auction (*i.e.*, fails to remit the required down payment within the prescribed period of time, fails to submit a timely long-form application, fails to make full payment, or is otherwise disqualified) will be subject to the payments described in 47 C.F.R. § 1.2104(g)(2). In such event the Commission may re-auction the license to existing or new applicants or offer it to the next highest bidders (in descending order) at their final bids. See 47 C.F.R. § 1.2109(b) and (c). In addition, if a default or disqualification involves gross misconduct, misrepresentation, or bad faith by an applicant, the Commission may declare the applicant and its principals ineligible to bid in future auctions, and may take any other action that it deems necessary, including institution of proceedings to revoke any existing licenses held by the applicant. See 47 C.F.R. § 1.2109(d).

D. Refund of Remaining Upfront Payment Balance

All applicants who submitted upfront payments but were not winning bidders for any LMDS license may be entitled to a refund of their remaining upfront payment balance after the conclusion of the auction. No refund will be made unless there are excess funds on deposit from that applicant after any applicable bid withdrawal payments have been paid.

Bidders who drop out of the auction completely may be eligible for a refund of their upfront payments before the close of the auction. However, bidders who reduce their eligibility and remain in the auction are not eligible for partial refunds of upfront payments until the close of the auction. Qualified bidders who have exhausted all their activity rule waivers, have no remaining bidding eligibility, and have not withdrawn a high bid during the auction must submit a written refund request which includes wire transfer instructions, a Taxpayer Identification Number ("TIN"), and a copy of their bidding eligibility screen print, to:

Federal Communications Commission
Billings and Collections Branch
Attn: Regina Dorsey or Linwood Jenkins
1919 M Street, N.W., Room 452
Washington, D.C. 20554

Bidders can also fax their request to the Billings and Collections Branch at (202) 418-2843. Once the request has been approved, a refund will be sent to the address provided on the FCC Form 159.

NOTE: Refund processing generally takes up to two weeks to complete. Bidders with questions about refunds should contact Regina Dorsey or Linwood Jenkins at 202-418-1995.

Media Contact: Audrey Spivack at (202) 418-0654
Public Safety and Private Wireless Division: Susan Magnotti or Bob James at (202) 418-0680;
Auctions and Industry Analysis Division: Mark Bollinger, Matthew Moses, or Louis Sigalos at
(202) 418-0660.

- FCC -

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B001	Aberdeen, SD	LDB001A/B	88,891	\$26,668	\$2,667
B002	Aberdeen, WA	LDB002A/B	83,057	\$24,918	\$2,500
B003	Abilene, TX	LDB003A/B	253,174	\$151,905	\$15,191
B004	Ada, OK	LDB004A/B	52,677	\$15,804	\$2,500
B005	Adrian, MI	LDB005A/B	91,476	\$27,443	\$2,745
B006	Albany-Tifton, GA	LDB006A/B	324,899	\$194,940	\$19,494
B007	Albany-Schenectady, NY	LDB007A/B	1,028,615	\$925,754	\$92,576
B008	Albuquerque, NM	LDB008A/B	688,612	\$413,168	\$41,317
B009	Alexandria, LA	LDB009A/B	280,133	\$168,080	\$16,808
B010	Allentown-Bethlehem-Easton, PA	LDB010A/B	686,688	\$412,013	\$41,202
B011	Alpena, MI	LDB011A/B	63,429	\$19,029	\$2,500
B012	Altoona, PA	LDB012A/B	222,625	\$133,575	\$13,358
B013	Amarillo, TX	LDB013A/B	380,341	\$228,205	\$22,821
B014	Anchorage, AK	LDB014A/B	388,943	\$233,366	\$23,337
B015	Anderson, IN	LDB015A/B	178,808	\$107,285	\$10,729
B016	Anderson, SC	LDB016A/B	305,120	\$183,072	\$18,308
B017	Anniston, AL	LDB017A/B	161,897	\$97,139	\$9,714
B018	Appleton-Oshkosh, WI	LDB018A/B	399,261	\$239,557	\$23,956
B019	Ardmore, OK	LDB019A/B	83,979	\$25,194	\$2,520
B020	Asheville-Hendersonville, NC	LDB020A/B	510,055	\$306,033	\$30,604
B021	Ashtabula, OH	LDB021A/B	99,821	\$29,947	\$2,995
B022	Athens, GA	LDB022A/B	166,030	\$99,618	\$9,962
B023	Athens, OH	LDB023A/B	123,864	\$74,319	\$7,432
B024	Atlanta, GA	LDB024A/B	3,197,171	\$2,877,454	\$287,746
B025	Atlantic City, NJ	LDB025A/B	319,416	\$191,650	\$19,165
B026	Augusta, GA	LDB026A/B	521,822	\$313,094	\$31,310
B027	Austin, TX	LDB027A/B	899,361	\$539,617	\$53,962
B028	Bakersfield, CA	LDB028A/B	543,477	\$326,087	\$32,609

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B029	Baltimore, MD	LDB029A/B	2,430,563	\$2,187,507	\$218,751
B030	Bangor, ME	LDB030A/B	316,838	\$190,103	\$19,011
B031	Bartlesville, OK	LDB031A/B	48,066	\$14,420	\$2,500
B032	Baton Rouge, LA	LDB032A/B	623,657	\$374,195	\$37,420
B033	Battle Creek, MI	LDB033A/B	227,541	\$136,525	\$13,653
B034	Beaumont-Port Arthur, TX	LDB034A/B	432,129	\$259,278	\$25,928
B035	Beckley, WV	LDB035A/B	167,112	\$100,268	\$10,027
B036	Bellingham, WA	LDB036A/B	127,780	\$76,668	\$7,667
B037	Bemidji, MN	LDB037A/B	57,632	\$17,290	\$2,500
B038	Bend, OR	LDB038A/B	102,745	\$61,647	\$6,165
B039	Benton Harbor, MI	LDB039A/B	161,378	\$96,827	\$9,683
B040	Big Spring, TX	LDB040A/B	34,589	\$10,377	\$2,500
B041	Billings, MT	LDB041A/B	290,242	\$174,146	\$17,415
B042	Biloxi-Gulfport-Pascagoula, MS	LDB042A/B	339,791	\$203,875	\$20,388
B043	Binghamton, NY	LDB043A/B	356,645	\$213,987	\$21,399
B044	Birmingham, AL	LDB044A/B	1,200,336	\$1,080,303	\$108,031
B045	Bismarck, ND	LDB045A/B	123,682	\$74,210	\$7,421
B046	Bloomington, IL	LDB046A/B	215,795	\$129,477	\$12,948
B047	Bloomington-Bedford, IN	LDB047A/B	217,914	\$130,749	\$13,075
B048	Bluefield, WV	LDB048A/B	184,020	\$110,412	\$11,042
B049	Blytheville, AR	LDB049A/B	79,446	\$23,834	\$2,500
B050	Boise-Nampa, ID	LDB050A/B	416,503	\$249,902	\$24,991
B051	Boston, MA	LDB051A/B	4,133,895	\$3,720,506	\$372,051
B052	Bowling Green-Glasgow, KY	LDB052A/B	222,748	\$133,649	\$13,365
B053	Bozeman, MT	LDB053A/B	65,077	\$19,524	\$2,500
B054	Brainerd, MN	LDB054A/B	78,465	\$23,540	\$2,500
B055	Bremerton, WA	LDB055A/B	189,731	\$113,839	\$11,384
B056	Brownsville-Harlingen, TX	LDB056A/B	277,825	\$166,695	\$16,670

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B057	Brownwood, TX	LDB057A/B	57,684	\$17,306	\$2,500
B058	Brunswick, GA	LDB058A/B	71,130	\$21,339	\$2,500
B059	Bryan-College Station, TX	LDB059A/B	150,998	\$90,599	\$9,060
B060	Buffalo-Niagara Falls, NY	LDB060A/B	1,231,795	\$1,108,616	\$110,862
B061	Burlington, IA	LDB061A/B	137,543	\$82,526	\$8,253
B062	Burlington, NC	LDB062A/B	108,213	\$64,928	\$6,493
B063	Burlington, VT	LDB063A/B	369,128	\$221,477	\$22,148
B064	Butte, MT	LDB064A/B	65,252	\$19,576	\$2,500
B065	Canton-New Philadelphia, OH	LDB065A/B	513,623	\$308,174	\$30,818
B066	Cape Girardeau-Sikeston, MO	LDB066A/B	181,795	\$109,077	\$10,908
B067	Carbondale-Marion, IL	LDB067A/B	209,497	\$125,699	\$12,570
B068	Carlsbad, NM	LDB068A/B	48,605	\$14,582	\$2,500
B069	Casper-Gillette, WY	LDB069A/B	135,172	\$81,104	\$8,111
B070	Cedar Rapids, IA	LDB070A/B	260,686	\$156,412	\$15,642
B071	Champaign-Urbana, IL	LDB071A/B	222,312	\$133,388	\$13,339
B072	Charleston, SC	LDB072A/B	624,369	\$374,622	\$37,463
B073	Charleston, WV	LDB073A/B	481,387	\$288,833	\$28,884
B074	Charlotte-Gastonia, NC	LDB074A/B	1,671,037	\$1,503,934	\$150,394
B075	Charlottesville, VA	LDB075A/B	190,128	\$114,077	\$11,408
B076	Chattanooga, TN	LDB076A/B	510,860	\$306,516	\$30,652
B077	Cheyenne, WY	LDB077A/B	103,939	\$62,364	\$6,237
B078	Chicago, IL	LDB078A/B	8,182,076	\$7,363,869	\$736,387
B079	Chico-Oroville, CA	LDB079A/B	206,918	\$124,151	\$12,416
B080	Chillicothe, OH	LDB080A/B	93,579	\$28,074	\$2,808
B081	Cincinnati, OH	LDB081A/B	1,990,451	\$1,791,406	\$179,141
B082	Clarksburg-Elkins, WV	LDB082A/B	190,498	\$114,299	\$11,430
B083	Clarksville, TN-Hopkinsville, KY	LDB083A/B	220,469	\$132,282	\$13,229
B084	Cleveland-Akron, OH	LDB084A/B	2,894,133	\$2,604,720	\$260,472

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B085	Cleveland, TN	LDB085A/B	87,355	\$26,207	\$2,621
B086	Clinton, IA-Sterling, IL	LDB086A/B	147,981	\$88,789	\$8,879
B087	Clovis, NM	LDB087A/B	71,024	\$21,308	\$2,500
B088	Coffeyville, KS	LDB088A/B	63,504	\$19,052	\$2,500
B089	Colorado Springs, CO	LDB089A/B	409,482	\$245,690	\$24,569
B090	Columbia, MO	LDB090A/B	190,536	\$114,322	\$11,433
B091	Columbia, SC	LDB091A/B	568,754	\$341,253	\$34,126
B092	Columbus, GA	LDB092A/B	342,333	\$205,400	\$20,540
B093	Columbus, IN	LDB093A/B	139,128	\$83,477	\$8,348
B094	Columbus-Starkville, MS	LDB094A/B	166,415	\$99,849	\$9,985
B095	Columbus, OH	LDB095A/B	1,477,891	\$1,330,102	\$133,011
B096	Cookeville, TN	LDB096A/B	117,613	\$70,568	\$7,057
B097	Coos Bay-North Bend, OR	LDB097A/B	79,600	\$23,880	\$2,500
B098	Corbin, KY	LDB098A/B	128,186	\$76,912	\$7,692
B099	Corpus Christi, TX	LDB099A/B	499,988	\$299,993	\$30,000
B100	Cumberland, MD	LDB100A/B	156,707	\$94,025	\$9,403
B101	Dallas-Ft. Worth, TX	LDB101A/B	4,329,924	\$3,896,932	\$389,694
B102	Dalton, GA	LDB102A/B	98,609	\$29,583	\$2,959
B103	Danville, IL	LDB103A/B	114,241	\$68,545	\$6,855
B104	Danville, VA	LDB104A/B	165,434	\$99,261	\$9,927
B105	Davenport, IA-Moline, IL	LDB105A/B	419,650	\$251,790	\$25,179
B106	Dayton-Springfield, OH	LDB106A/B	1,207,689	\$1,086,921	\$108,693
B107	Daytona Beach, FL	LDB107A/B	399,413	\$239,648	\$23,965
B108	Decatur, AL	LDB108A/B	131,556	\$78,934	\$7,894
B109	Decatur-Effingham, IL	LDB109A/B	247,608	\$148,565	\$14,857
B110	Denver, CO	LDB110A/B	2,073,952	\$1,866,557	\$186,656
B111	Des Moines, IA	LDB111A/B	728,830	\$437,298	\$43,730
B112	Detroit, MI	LDB112A/B	4,705,164	\$4,234,648	\$423,465

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B113	Dickinson, ND	LDB113A/B	38,001	\$11,401	\$2,500
B114	Dodge City, KS	LDB114A/B	37,454	\$11,237	\$2,500
B115	Dothan-Enterprise, AL	LDB115A/B	210,225	\$126,135	\$12,614
B116	Dover, DE	LDB116A/B	251,257	\$150,755	\$15,076
B117	Du Bois-Clearfield, PA	LDB117A/B	124,180	\$74,508	\$7,451
B118	Dubuque, IA	LDB118A/B	176,542	\$105,926	\$10,593
B119	Duluth, MN	LDB119A/B	400,771	\$240,463	\$24,047
B120	Dyersburg-Union City, TN	LDB120A/B	113,943	\$68,366	\$6,837
B121	Eagle Pass-Del Rio, TX	LDB121A/B	100,813	\$60,488	\$6,049
B122	East Liverpool-Salem, OH	LDB122A/B	108,276	\$64,966	\$6,497
B123	Eau Claire, WI	LDB123A/B	180,559	\$108,336	\$10,834
B124	El Centro-Calexico, CA	LDB124A/B	109,303	\$65,582	\$6,559
B125	El Dorado-Magnolia-Camden, AR	LDB125A/B	108,810	\$65,286	\$6,529
B126	Elkhart, IN	LDB126A/B	235,152	\$141,092	\$14,110
B127	Elmira-Corning-Hornell, NY	LDB127A/B	315,038	\$189,023	\$18,903
B128	El Paso, TX	LDB128A/B	649,860	\$389,916	\$38,992
B129	Emporia, KS	LDB129A/B	46,157	\$13,848	\$2,500
B130	Enid, OK	LDB130A/B	85,998	\$25,800	\$2,580
B131	Erie, PA	LDB131A/B	275,572	\$165,344	\$16,535
B132	Escanaba, MI	LDB132A/B	46,082	\$13,825	\$2,500
B133	Eugene-Springfield, OR	LDB133A/B	282,912	\$169,748	\$16,975
B134	Eureka, CA	LDB134A/B	142,578	\$85,547	\$8,555
B135	Evansville, IN	LDB135A/B	504,859	\$302,916	\$30,292
B136	Fairbanks, AK	LDB136A/B	92,111	\$27,634	\$2,764
B137	Fairmont, WV	LDB137A/B	57,249	\$17,175	\$2,500
B138	Fargo, ND	LDB138A/B	298,015	\$178,809	\$17,881
B139	Farmington, NM-Durango, CO	LDB139A/B	162,776	\$97,666	\$9,767
B140	Fayetteville-Springdale-Rogers,	LDB140A/B	222,526	\$133,516	\$13,352

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B141	Fayetteville-Lumberton, NC	LDB141A/B	571,328	\$342,797	\$34,280
B142	Fergus Falls, MN	LDB142A/B	120,167	\$72,101	\$7,211
B143	Findlay-Tiffin, OH	LDB143A/B	147,523	\$88,514	\$8,852
B144	Flagstaff, AZ	LDB144A/B	96,591	\$28,978	\$2,898
B145	Flint, MI	LDB145A/B	500,229	\$300,138	\$30,014
B146	Florence, AL	LDB146A/B	173,076	\$103,846	\$10,385
B147	Florence, SC	LDB147A/B	239,208	\$143,525	\$14,353
B148	Fond du Lac, WI	LDB148A/B	90,083	\$27,025	\$2,703
B149	Ft. Collins-Loveland, CO	LDB149A/B	186,136	\$111,682	\$11,169
B150	Ft. Dodge, IA	LDB150A/B	131,731	\$79,039	\$7,904
B151	Ft. Myers, FL	LDB151A/B	479,452	\$287,672	\$28,768
B152	Ft. Pierce-Vero Beach-Stuart, FL	LDB152A/B	341,279	\$204,768	\$20,477
B153	Ft. Smith, AR	LDB153A/B	282,187	\$169,313	\$16,932
B154	Ft. Walton Beach, FL	LDB154A/B	171,536	\$102,922	\$10,293
B155	Ft. Wayne, IN	LDB155A/B	646,736	\$388,042	\$38,805
B156	Fredericksburg, VA	LDB156A/B	124,654	\$74,793	\$7,480
B157	Fresno, CA	LDB157A/B	755,580	\$453,348	\$45,335
B158	Gadsden, AL	LDB158A/B	174,034	\$104,421	\$10,443
B159	Gainesville, FL	LDB159A/B	260,538	\$156,323	\$15,633
B160	Gainesville, GA	LDB160A/B	170,365	\$102,219	\$10,222
B161	Galesburg, IL	LDB161A/B	75,574	\$22,673	\$2,500
B162	Gallup, NM	LDB162A/B	122,277	\$73,367	\$7,337
B163	Garden City, KS	LDB163A/B	65,059	\$19,518	\$2,500
B164	Glens Falls, NY	LDB164A/B	118,539	\$71,124	\$7,113
B165	Goldsboro-Kinston, NC	LDB165A/B	217,319	\$130,392	\$13,040
B166	Grand Forks, ND	LDB166A/B	213,932	\$128,360	\$12,836
B167	Grand Island-Kearney, NE	LDB167A/B	141,541	\$84,925	\$8,493
B168	Grand Junction, CO	LDB168A/B	187,062	\$112,238	\$11,224

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B169	Grand Rapids, MI	LDB169A/B	916,060	\$549,636	\$54,964
B170	Great Bend, KS	LDB170A/B	40,779	\$12,234	\$2,500
B171	Great Falls, MT	LDB171A/B	161,038	\$96,623	\$9,663
B172	Greeley, CO	LDB172A/B	131,821	\$79,093	\$7,910
B173	Green Bay, WI	LDB173A/B	310,435	\$186,261	\$18,627
B174	Greensboro-Winston-Salem-High Point, NC	LDB174A/B	1,241,349	\$1,117,215	\$111,722
B175	Greenville-Greenville- Greenwood, MS	LDB175A/B	213,943	\$128,366	\$12,837
B176	Greenville-Washington, NC	LDB176A/B	218,937	\$131,363	\$13,137
B177	Greenville-Spartanburg, SC	LDB177A/B	788,212	\$472,928	\$47,293
B178	Greenwood, SC	LDB178A/B	68,435	\$20,531	\$2,500
B179	Hagerstown, MD- Chambersburg, PA-	LDB179A/B	327,693	\$196,616	\$19,662
B180	Hammond, LA	LDB180A/B	95,583	\$28,675	\$2,868
B181	Harrisburg, PA	LDB181A/B	654,808	\$392,885	\$39,289
B182	Harrison, AR	LDB182A/B	74,459	\$22,338	\$2,500
B183	Harrisonburg, VA	LDB183A/B	128,910	\$77,346	\$7,735
B184	Hartford, CT	LDB184A/B	1,123,678	\$1,011,311	\$101,132
B185	Hastings, NE	LDB185A/B	72,833	\$21,850	\$2,500
B186	Hattiesburg, MS	LDB186A/B	161,894	\$97,137	\$9,714
B187	Hays, KS	LDB187A/B	60,926	\$18,278	\$2,500
B188	Helena, MT	LDB188A/B	58,752	\$17,626	\$2,500
B189	Hickory-Lenoir-Morganton, NC	LDB189A/B	292,409	\$175,446	\$17,545
B190	Hilo, HI	LDB190A/B	120,317	\$72,191	\$7,220
B191	Hobbs, NM	LDB191A/B	55,765	\$16,730	\$2,500
B192	Honolulu, HI	LDB192A/B	836,231	\$501,739	\$50,174
B193	Hot Springs, AR	LDB193A/B	117,439	\$70,464	\$7,047
B194	Houghton, MI	LDB194A/B	45,101	\$13,531	\$2,500
B195	Houma-Thibodaux, LA	LDB195A/B	263,681	\$158,209	\$15,821
B196	Houston, TX	LDB196A/B	4,054,253	\$3,648,828	\$364,883

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B197	Huntington, WV-Ashland, KY	LDB197A/B	363,936	\$218,362	\$21,837
B198	Huntsville, AL	LDB198A/B	439,832	\$263,900	\$26,390
B199	Huron, SD	LDB199A/B	53,189	\$15,957	\$2,500
B200	Hutchinson, KS	LDB200A/B	125,094	\$75,057	\$7,506
B201	Hyannis, MA	LDB201A/B	204,256	\$122,554	\$12,256
B202	Idaho Falls, ID	LDB202A/B	190,267	\$114,161	\$11,417
B203	Indiana, PA	LDB203A/B	89,994	\$26,999	\$2,700
B204	Indianapolis, IN	LDB204A/B	1,321,911	\$1,189,720	\$118,972
B205	Iowa City, IA	LDB205A/B	115,731	\$69,439	\$6,944
B206	Iron Mountain, MI	LDB206A/B	44,596	\$13,379	\$2,500
B207	Ironwood, MI	LDB207A/B	33,059	\$9,918	\$2,500
B208	Ithaca, NY	LDB208A/B	94,097	\$28,230	\$2,823
B209	Jackson, MI	LDB209A/B	193,187	\$115,913	\$11,592
B210	Jackson, MS	LDB210A/B	615,521	\$369,313	\$36,932
B211	Jackson, TN	LDB211A/B	255,379	\$153,228	\$15,323
B212	Jacksonville, FL	LDB212A/B	1,114,847	\$1,003,363	\$100,337
B213	Jacksonville, IL	LDB213A/B	70,795	\$21,239	\$2,500
B214	Jacksonville, NC	LDB214A/B	149,838	\$89,903	\$8,991
B215	Jamestown-Dunkirk, NY-Warren, PA	LDB215A/B	186,945	\$112,167	\$11,217
B216	Janesville-Beloit, WI	LDB216A/B	214,510	\$128,706	\$12,871
B217	Jefferson City, MO	LDB217A/B	141,404	\$84,843	\$8,485
B218	Johnstown, PA	LDB218A/B	241,247	\$144,749	\$14,475
B219	Jonesboro-Paragould, AR	LDB219A/B	159,439	\$95,664	\$9,567
B220	Joplin, MO-Miami, OK	LDB220A/B	215,095	\$129,057	\$12,906
B221	Juneau-Ketchikan, AK	LDB221A/B	68,989	\$20,697	\$2,500
B222	Kahului-Wailuku-Lahaina, HI	LDB222A/B	100,504	\$60,303	\$6,031
B223	Kalamazoo, MI	LDB223A/B	352,384	\$211,431	\$21,144
B224	Kalispell, MT	LDB224A/B	59,218	\$17,766	\$2,500

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B225	Kankakee, IL	LDB225A/B	127,042	\$76,226	\$7,623
B226	Kansas City, MO	LDB226A/B	1,839,569	\$1,655,613	\$165,562
B227	Keene, NH	LDB227A/B	111,709	\$67,026	\$6,703
B228	Kennewick-Pasco-Richland, WA	LDB228A/B	150,033	\$90,020	\$9,002
B229	Kingsport-Johnson City, TN-Bristol,	LDB229A/B	652,639	\$391,584	\$39,159
B230	Kirksville, MO	LDB230A/B	55,563	\$16,669	\$2,500
B231	Klamath Falls, OR	LDB231A/B	74,566	\$22,370	\$2,500
B232	Knoxville, TN	LDB232A/B	948,055	\$568,833	\$56,884
B233	Kokomo-Logansport, IN	LDB233A/B	184,899	\$110,940	\$11,094
B234	La Crosse, WI-Winona, MN	LDB234A/B	295,769	\$177,462	\$17,747
B235	Lafayette, IN	LDB235A/B	247,523	\$148,514	\$14,852
B236	Lafayette-New Iberia, LA	LDB236A/B	496,579	\$297,948	\$29,795
B237	La Grange, GA	LDB237A/B	64,164	\$19,250	\$2,500
B238	Lake Charles, LA	LDB238A/B	259,425	\$155,655	\$15,566
B239	Lakeland-Winter Haven, FL	LDB239A/B	405,382	\$243,230	\$24,323
B240	Lancaster, PA	LDB240A/B	422,822	\$253,694	\$25,370
B241	Lansing, MI	LDB241A/B	489,698	\$293,819	\$29,382
B242	Laredo, TX	LDB242A/B	152,881	\$91,729	\$9,173
B243	La Salle-Peru-Ottawa-Streator, IL	LDB243A/B	148,331	\$88,999	\$8,900
B244	Las Cruces, NM	LDB244A/B	197,166	\$118,300	\$11,830
B245	Las Vegas, NV	LDB245A/B	857,856	\$514,714	\$51,472
B246	Laurel, MS	LDB246A/B	79,145	\$23,744	\$2,500
B247	Lawrence, KS	LDB247A/B	81,798	\$24,540	\$2,500
B248	Lawton-Duncan, OK	LDB248A/B	177,830	\$106,698	\$10,670
B249	Lebanon-Clairemont, NH	LDB249A/B	167,576	\$100,546	\$10,055
B250	Lewiston-Moscow, ID	LDB250A/B	110,028	\$66,017	\$6,602
B251	Lewiston-Auburn, ME	LDB251A/B	221,697	\$133,019	\$13,302
B252	Lexington, KY	LDB252A/B	816,101	\$489,661	\$48,967

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B253	Liberal, KS	LDB253A/B	53,960	\$16,188	\$2,500
B254	Lihue, HI	LDB254A/B	51,177	\$15,354	\$2,500
B255	Lima, OH	LDB255A/B	249,734	\$149,841	\$14,985
B256	Lincoln, NE	LDB256A/B	309,515	\$185,709	\$18,571
B257	Little Rock, AR	LDB257A/B	852,026	\$511,216	\$51,122
B258	Logan, UT	LDB258A/B	79,415	\$23,825	\$2,500
B259	Logan, WV	LDB259A/B	43,032	\$12,910	\$2,500
B260	Longview-Marshall, TX	LDB260A/B	292,659	\$175,596	\$17,560
B261	Longview, WA	LDB261A/B	85,446	\$25,634	\$2,564
B262	Los Angeles, CA	LDB262A/B	14,549,810	\$13,094,829	\$1,309,483
B263	Louisville, KY	LDB263A/B	1,352,955	\$1,217,660	\$121,766
B264	Lubbock, TX	LDB264A/B	392,901	\$235,741	\$23,575
B265	Lufkin-Nacogdoches, TX	LDB265A/B	144,081	\$86,449	\$8,645
B266	Lynchburg, VA	LDB266A/B	154,497	\$92,699	\$9,270
B267	McAlester, OK	LDB267A/B	50,914	\$15,275	\$2,500
B268	McAllen, TX	LDB268A/B	424,063	\$254,438	\$25,444
B269	McComb-Brookhaven, MS	LDB269A/B	107,298	\$64,379	\$6,438
B270	McCook, NE	LDB270A/B	36,618	\$10,986	\$2,500
B271	Macon-Warner Robins, GA	LDB271A/B	589,208	\$353,525	\$35,353
B272	Madison, WI	LDB272A/B	593,145	\$355,887	\$35,589
B273	Madisonville, KY	LDB273A/B	46,126	\$13,838	\$2,500
B274	Manchester-Nashua-Concord, NH	LDB274A/B	540,704	\$324,423	\$32,443
B275	Manhattan-Junction City, KS	LDB275A/B	122,878	\$73,727	\$7,373
B276	Manitowoc, WI	LDB276A/B	80,421	\$24,127	\$2,500
B277	Mankato-Fairmont, MN	LDB277A/B	245,144	\$147,087	\$14,709
B278	Mansfield, OH	LDB278A/B	221,514	\$132,909	\$13,291
B279	Marinette, WI-Menominee, MI	LDB279A/B	65,468	\$19,641	\$2,500
B280	Marion, IN	LDB280A/B	109,238	\$65,543	\$6,555

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B281	Marion, OH	LDB281A/B	92,023	\$27,607	\$2,761
B282	Marquette, MI	LDB282A/B	79,859	\$23,958	\$2,500
B283	Marshalltown, IA	LDB283A/B	55,695	\$16,709	\$2,500
B284	Martinsville, VA	LDB284A/B	90,577	\$27,174	\$2,718
B285	Mason City, IA	LDB285A/B	118,834	\$71,301	\$7,131
B286	Mattoon, IL	LDB286A/B	62,314	\$18,695	\$2,500
B287	Meadville, PA	LDB287A/B	86,169	\$25,851	\$2,586
B288	Medford-Grants Pass, OR	LDB288A/B	209,038	\$125,423	\$12,543
B289	Melbourne-Titusville, FL	LDB289A/B	398,978	\$239,387	\$23,939
B290	Memphis, TN	LDB290A/B	1,396,390	\$1,256,751	\$125,676
B291	Merced, CA	LDB291A/B	192,705	\$115,623	\$11,563
B292	Meridian, MS	LDB292A/B	200,024	\$120,015	\$12,002
B293	Miami-Ft. Lauderdale, FL	LDB293A/B	3,270,606	\$2,943,546	\$294,355
B294	Michigan City-La Porte, IN	LDB294A/B	107,066	\$64,240	\$6,424
B295	Middlesboro-Harlan, KY	LDB295A/B	121,217	\$72,731	\$7,274
B296	Midland, TX	LDB296A/B	111,567	\$66,941	\$6,695
B297	Milwaukee, WI	LDB297A/B	1,751,525	\$1,576,373	\$157,638
B298	Minneapolis-St. Paul, MN	LDB298A/B	2,840,561	\$2,556,505	\$255,651
B299	Minot, ND	LDB299A/B	122,687	\$73,613	\$7,362
B300	Missoula, MT	LDB300A/B	139,270	\$83,562	\$8,357
B301	Mitchell, SD	LDB301A/B	84,095	\$25,229	\$2,523
B302	Mobile, AL	LDB302A/B	594,397	\$356,639	\$35,664
B303	Modesto, CA	LDB303A/B	418,978	\$251,387	\$25,139
B304	Monroe, LA	LDB304A/B	324,397	\$194,639	\$19,464
B305	Montgomery, AL	LDB305A/B	440,745	\$264,447	\$26,445
B306	Morgantown, WV	LDB306A/B	104,546	\$62,728	\$6,273
B307	Mt. Pleasant, MI	LDB307A/B	118,558	\$71,135	\$7,114
B308	Mt. Vernon-Centralia, IL	LDB308A/B	119,286	\$71,572	\$7,158

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B309	Muncie, IN	LDB309A/B	182,386	\$109,432	\$10,944
B310	Muskegon, MI	LDB310A/B	206,974	\$124,185	\$12,419
B311	Muskogee, OK	LDB311A/B	148,267	\$88,961	\$8,897
B312	Myrtle Beach, SC	LDB312A/B	144,053	\$86,432	\$8,644
B313	Naples, FL	LDB313A/B	152,099	\$91,260	\$9,126
B314	Nashville, TN	LDB314A/B	1,429,309	\$1,286,379	\$128,638
B315	Natchez, MS	LDB315A/B	73,214	\$21,965	\$2,500
B316	New Bern, NC	LDB316A/B	154,955	\$92,973	\$9,298
B317	New Castle, PA	LDB317A/B	96,246	\$28,874	\$2,888
B318	New Haven-Waterbury-Meriden, CT	LDB318A/B	978,311	\$586,987	\$58,699
B319	New London-Norwich, CT	LDB319A/B	357,482	\$214,490	\$21,449
B320	New Orleans, LA	LDB320A/B	1,367,169	\$1,230,453	\$123,046
B321	New York, NY	LDB321A/B	#####	#####	#####
B322	Nogales, AZ	LDB322A/B	29,676	\$8,903	\$2,500
B323	Norfolk, NE	LDB323A/B	112,526	\$67,516	\$6,752
B324	Norfolk-Virginia Beach-Newport News-	LDB324A/B	1,635,296	\$1,471,767	\$147,177
B325	North Platte, NE	LDB325A/B	80,249	\$24,075	\$2,500
B326	Ocala, FL	LDB326A/B	194,833	\$116,900	\$11,690
B327	Odessa, TX	LDB327A/B	213,420	\$128,052	\$12,806
B328	Oil City-Franklin, PA	LDB328A/B	105,882	\$63,530	\$6,353
B329	Oklahoma City, OK	LDB329A/B	1,305,472	\$1,174,925	\$117,493
B330	Olean, NY-Bradford, PA	LDB330A/B	239,343	\$143,606	\$14,361
B331	Olympia-Centralia, WA	LDB331A/B	258,937	\$155,363	\$15,537
B332	Omaha, NE	LDB332A/B	905,991	\$543,595	\$54,360
B333	Oneonta, NY	LDB333A/B	107,742	\$64,646	\$6,465
B334	Opelika-Auburn, AL	LDB334A/B	124,022	\$74,414	\$7,442
B335	Orangeburg, SC	LDB335A/B	114,458	\$68,675	\$6,868
B336	Orlando, FL	LDB336A/B	1,256,429	\$1,130,787	\$113,079

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B337	Ottumwa, IA	LDB337A/B	122,988	\$73,793	\$7,380
B338	Owensboro, KY	LDB338A/B	157,104	\$94,263	\$9,427
B339	Paducah-Murray-Mayfield, KY	LDB339A/B	217,082	\$130,250	\$13,025
B340	Panama City, FL	LDB340A/B	171,195	\$102,717	\$10,272
B341	Paris, TX	LDB341A/B	89,422	\$26,827	\$2,683
B342	Parkersburg, WV-Marietta, OH	LDB342A/B	180,025	\$108,015	\$10,802
B343	Pensacola, FL	LDB343A/B	344,406	\$206,644	\$20,665
B344	Peoria, IL	LDB344A/B	455,643	\$273,386	\$27,339
B345	Petoskey, MI	LDB345A/B	85,863	\$25,759	\$2,576
B346	Philadelphia, PA-Wilmington, DE-	LDB346A/B	5,899,345	\$5,309,411	\$530,942
B347	Phoenix, AZ	LDB347A/B	2,404,760	\$2,164,284	\$216,429
B348	Pine Bluff, AR	LDB348A/B	152,918	\$91,751	\$9,176
B349	Pittsburg-Parsons, KS	LDB349A/B	90,934	\$27,281	\$2,729
B350	Pittsburgh, PA	LDB350A/B	2,507,839	\$2,257,056	\$225,706
B351	Pittsfield, MA	LDB351A/B	139,352	\$83,612	\$8,362
B352	Plattsburgh, NY	LDB352A/B	123,121	\$73,873	\$7,388
B353	Pocatello, ID	LDB353A/B	89,651	\$26,896	\$2,690
B354	Ponca City, OK	LDB354A/B	48,056	\$14,417	\$2,500
B355	Poplar Bluff, MO	LDB355A/B	148,240	\$88,944	\$8,895
B356	Port Angeles, WA	LDB356A/B	76,610	\$22,983	\$2,500
B357	Portland-Brunswick, ME	LDB357A/B	471,614	\$282,969	\$28,297
B358	Portland, OR	LDB358A/B	1,690,930	\$1,521,837	\$152,184
B359	Portsmouth, OH	LDB359A/B	93,356	\$28,007	\$2,801
B360	Pottsville, PA	LDB360A/B	152,585	\$91,551	\$9,156
B361	Poughkeepsie-Kingston, NY	LDB361A/B	424,766	\$254,860	\$25,486
B362	Prescott, AZ	LDB362A/B	107,714	\$64,629	\$6,463
B363	Presque Isle, ME	LDB363A/B	86,936	\$26,081	\$2,609
B364	Providence-Pawtucket, RI-New	LDB364A/B	1,509,789	\$1,358,811	\$135,882

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B365	Provo-Orem, UT	LDB365A/B	269,407	\$161,645	\$16,165
B366	Pueblo, CO	LDB366A/B	266,001	\$159,601	\$15,961
B367	Quincy, IL-Hannibal, MO	LDB367A/B	177,213	\$106,328	\$10,633
B368	Raleigh-Durham, NC	LDB368A/B	1,089,423	\$980,481	\$98,049
B369	Rapid City, SD	LDB369A/B	181,278	\$108,767	\$10,877
B370	Reading, PA	LDB370A/B	336,523	\$201,914	\$20,192
B371	Redding, CA	LDB371A/B	253,255	\$151,953	\$15,196
B372	Reno, NV	LDB372A/B	439,279	\$263,568	\$26,357
B373	Richmond, IN	LDB373A/B	104,942	\$62,966	\$6,297
B374	Richmond-Petersburg, VA	LDB374A/B	1,090,869	\$981,783	\$98,179
B375	Riverton, WY	LDB375A/B	46,859	\$14,058	\$2,500
B376	Roanoke, VA	LDB376A/B	609,215	\$365,529	\$36,553
B377	Roanoke Rapids, NC	LDB377A/B	76,314	\$22,895	\$2,500
B378	Rochester-Austin-Albert Lea, MN	LDB378A/B	233,167	\$139,901	\$13,991
B379	Rochester, NY	LDB379A/B	1,118,963	\$1,007,067	\$100,707
B380	Rockford, IL	LDB380A/B	412,120	\$247,272	\$24,728
B381	Rock Springs, WY	LDB381A/B	56,981	\$17,095	\$2,500
B382	Rocky Mount-Wilson, NC	LDB382A/B	199,296	\$119,578	\$11,958
B383	Rolla, MO	LDB383A/B	98,233	\$29,470	\$2,947
B384	Rome, GA	LDB384A/B	115,066	\$69,040	\$6,904
B385	Roseburg, OR	LDB385A/B	94,649	\$28,395	\$2,840
B386	Roswell, NM	LDB386A/B	70,068	\$21,021	\$2,500
B387	Russellville, AR	LDB387A/B	81,863	\$24,559	\$2,500
B388	Rutland-Bennington, VT	LDB388A/B	97,987	\$29,397	\$2,940
B389	Sacramento, CA	LDB389A/B	1,656,581	\$1,490,923	\$149,093
B390	Saginaw-Bay City, MI	LDB390A/B	615,364	\$369,219	\$36,922
B391	St. Cloud, MN	LDB391A/B	243,888	\$146,333	\$14,634
B392	St. George, UT	LDB392A/B	83,263	\$24,979	\$2,500

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B393	St. Joseph, MO	LDB393A/B	191,489	\$114,894	\$11,490
B394	St. Louis, MO	LDB394A/B	2,742,114	\$2,467,903	\$246,791
B395	Salem-Albany-Corvallis, OR	LDB395A/B	440,062	\$264,038	\$26,404
B396	Salina, KS	LDB396A/B	143,408	\$86,045	\$8,605
B397	Salinas-Monterey, CA	LDB397A/B	355,660	\$213,396	\$21,340
B398	Salisbury, MD	LDB398A/B	163,043	\$97,826	\$9,783
B399	Salt Lake City-Ogden, UT	LDB399A/B	1,308,035	\$1,177,232	\$117,724
B400	San Angelo, TX	LDB400A/B	155,845	\$93,507	\$9,351
B401	San Antonio, TX	LDB401A/B	1,530,954	\$1,377,859	\$137,786
B402	San Diego, CA	LDB402A/B	2,498,016	\$2,248,215	\$224,822
B403	Sandusky, OH	LDB403A/B	133,019	\$79,812	\$7,982
B404	San Francisco-Oakland-San Jose, CA	LDB404A/B	6,420,984	\$5,778,886	\$577,889
B405	San Luis Obispo, CA	LDB405A/B	217,162	\$130,298	\$13,030
B406	Santa Barbara-Santa Maria, CA	LDB406A/B	369,608	\$221,765	\$22,177
B407	Santa Fe, NM	LDB407A/B	174,526	\$104,716	\$10,472
B408	Sarasota-Bradenton, FL	LDB408A/B	513,348	\$308,009	\$30,801
B409	Sault Ste. Marie, MI	LDB409A/B	51,041	\$15,313	\$2,500
B410	Savannah, GA	LDB410A/B	630,180	\$378,108	\$37,811
B411	Scottsbluff, NE	LDB411A/B	101,954	\$61,173	\$6,118
B412	Scranton-Wilkes Barre-Hazleton, PA	LDB412A/B	678,410	\$407,046	\$40,705
B413	Seattle-Tacoma, WA	LDB413A/B	2,708,949	\$2,438,055	\$243,806
B414	Sedalia, MO	LDB414A/B	79,705	\$23,912	\$2,500
B415	Selma, AL	LDB415A/B	74,457	\$22,338	\$2,500
B416	Sharon, PA	LDB416A/B	121,003	\$72,602	\$7,261
B417	Sheboygan, WI	LDB417A/B	103,877	\$62,327	\$6,233
B418	Sherman-Denison, TX	LDB418A/B	151,914	\$91,149	\$9,115
B419	Shreveport, LA	LDB419A/B	583,266	\$349,960	\$34,996
B420	Sierra Vista-Douglas, AZ	LDB420A/B	97,624	\$29,288	\$2,929

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B421	Sioux City, IA	LDB421A/B	328,919	\$197,352	\$19,736
B422	Sioux Falls, SD	LDB422A/B	207,716	\$124,630	\$12,463
B423	Somerset, KY	LDB423A/B	111,487	\$66,893	\$6,690
B424	South Bend- Mishawaka, IN	LDB424A/B	330,821	\$198,493	\$19,850
B425	Spokane, WA	LDB425A/B	612,862	\$367,718	\$36,772
B426	Springfield, IL	LDB426A/B	254,696	\$152,818	\$15,282
B427	Springfield-Holyoke, MA	LDB427A/B	672,970	\$403,782	\$40,379
B428	Springfield, MO	LDB428A/B	532,880	\$319,728	\$31,973
B429	State College, PA	LDB429A/B	123,786	\$74,272	\$7,428
B430	Staunton- Waynesboro, VA	LDB430A/B	100,322	\$60,194	\$6,020
B431	Steubenville, OH- Weirton, WV	LDB431A/B	142,523	\$85,514	\$8,552
B432	Stevens Point- Marshfield-Wisconsin	LDB432A/B	201,240	\$120,744	\$12,075
B433	Stillwater, OK	LDB433A/B	72,552	\$21,766	\$2,500
B434	Stockton, CA	LDB434A/B	512,626	\$307,576	\$30,758
B435	Stroudsburg, PA	LDB435A/B	95,709	\$28,713	\$2,872
B436	Sumter, SC	LDB436A/B	149,524	\$89,715	\$8,972
B437	Sunbury-Shamokin, PA	LDB437A/B	187,362	\$112,418	\$11,242
B438	Syracuse, NY	LDB438A/B	791,140	\$474,684	\$47,469
B439	Tallahassee, FL	LDB439A/B	418,963	\$251,378	\$25,138
B440	Tampa-St. Petersburg- Clearwater, FL	LDB440A/B	2,249,405	\$2,024,465	\$202,447
B441	Temple-Killeen, TX	LDB441A/B	291,768	\$175,061	\$17,507
B442	Terre Haute, IN	LDB442A/B	236,968	\$142,181	\$14,219
B443	Texarkana, TX/AR	LDB443A/B	255,983	\$153,590	\$15,359
B444	Toledo, OH	LDB444A/B	782,184	\$469,311	\$46,932
B445	Topeka, KS	LDB445A/B	245,679	\$147,408	\$14,741
B446	Traverse City, MI	LDB446A/B	204,600	\$122,760	\$12,276
B447	Tucson, AZ	LDB447A/B	666,880	\$400,128	\$40,013
B448	Tulsa, OK	LDB448A/B	836,559	\$501,936	\$50,194

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B449	Tupelo-Corinth, MS	LDB449A/B	291,701	\$175,021	\$17,503
B450	Tuscaloosa, AL	LDB450A/B	237,918	\$142,751	\$14,276
B451	Twin Falls, ID	LDB451A/B	136,831	\$82,099	\$8,210
B452	Tyler, TX	LDB452A/B	269,762	\$161,858	\$16,186
B453	Utica-Rome, NY	LDB453A/B	316,633	\$189,980	\$18,998
B454	Valdosta, GA	LDB454A/B	139,226	\$83,536	\$8,354
B455	Vicksburg, MS	LDB455A/B	59,250	\$17,775	\$2,500
B456	Victoria, TX	LDB456A/B	149,963	\$89,978	\$8,998
B457	Vincennes-Washington, IN	LDB457A/B	93,758	\$28,128	\$2,813
B458	Visalia-Porterville-Hanford, CA	LDB458A/B	413,390	\$248,034	\$24,804
B459	Waco, TX	LDB459A/B	270,052	\$162,032	\$16,204
B460	Walla Walla, WA-Pendleton, OR	LDB460A/B	151,563	\$90,938	\$9,094
B461	Washington, DC	LDB461A/B	4,118,628	\$3,706,766	\$370,677
B462	Waterloo-Cedar Falls, IA	LDB462A/B	261,009	\$156,606	\$15,661
B463	Watertown, NY	LDB463A/B	296,253	\$177,752	\$17,776
B464	Watertown, SD	LDB464A/B	74,555	\$22,367	\$2,500
B465	Waterville-Augusta, ME	LDB465A/B	165,671	\$99,403	\$9,941
B466	Wausau-Rhineland, WI	LDB466A/B	220,060	\$132,036	\$13,204
B467	Waycross, GA	LDB467A/B	99,034	\$29,711	\$2,972
B468	Wenatchee, WA	LDB468A/B	166,563	\$99,938	\$9,994
B469	West Palm Beach-Boca Raton, FL	LDB469A/B	893,145	\$535,887	\$53,589
B470	West Plains, MO	LDB470A/B	67,165	\$20,150	\$2,500
B471	Wheeling, WV	LDB471A/B	219,937	\$131,963	\$13,197
B472	Wichita, KS	LDB472A/B	597,494	\$358,497	\$35,850
B473	Wichita Falls, TX	LDB473A/B	209,339	\$125,604	\$12,561
B474	Williamson, WV-Pikeville, KY	LDB474A/B	185,682	\$111,410	\$11,141
B475	Williamsport, PA	LDB475A/B	161,996	\$97,198	\$9,720
B476	Williston, ND	LDB476A/B	27,512	\$8,254	\$2,500

ATTACHMENT A

SUMMARY OF LICENSES TO BE AUCTIONED

Market Number	Basic Trading Area Name	License No. (note 1)	Population (note 2)	Upfront Payment A Block (note 3)	Upfront Payment B Block (note 3)
B477	Willmar-Marshall, MN	LDB477A/B	123,749	\$74,250	\$7,425
B478	Wilmington, NC	LDB478A/B	249,711	\$149,827	\$14,983
B479	Winchester, VA	LDB479A/B	137,549	\$82,530	\$8,253
B480	Worcester-Fitchburg-Leominster, MA	LDB480A/B	709,705	\$425,823	\$42,583
B481	Worthington, MN	LDB481A/B	96,602	\$28,981	\$2,899
B482	Yakima, WA	LDB482A/B	215,548	\$129,329	\$12,933
B483	York-Hanover, PA	LDB483A/B	417,848	\$250,709	\$25,071
B484	Youngstown-Warren, OH	LDB484A/B	492,619	\$295,572	\$29,558
B485	Yuba City-Marysville, CA	LDB485A/B	122,643	\$73,586	\$7,359
B486	Yuma, AZ	LDB486A/B	106,895	\$64,137	\$6,414
B487	Zanesville-Cambridge, OH	LDB487A/B	178,179	\$106,908	\$10,691
B488	San Juan, PR	LDB488A/B	2,170,246	\$1,953,222	\$195,323
B489	Mayaguez-Aguadilla-Ponce, PR	LDB489A/B	1,351,600	\$1,216,440	\$121,644
B490	Guam	LDB490A/B	133,000	\$79,800	\$7,980
B491	US Virgin Islands	LDB491A/B	102,000	\$61,200	\$6,120
B492	American Samoa	LDB492A/B	47,000	\$14,100	\$2,500
B493	Northern Mariana Islands	LDB493A/B	43,000	\$12,900	\$2,500
Totals:			244,009,873	\$186,148,090	\$19,434,564

Notes:

(1) When identifying an individual license, only one frequency block suffix may be used (e.g., "A" or "B"). This license number must be used on the FCC Form 159 by winning bidders when making down payments and final payments. Do not specify individual licenses on the FCC Form 159 accompanying an upfront payment.

(2) All population figures are 4/1/90 U.S. Census, U.S. Department of Commerce, Bureau of the Census

(3) The upfront payment for Block A is calculated in three tiers, for licenses with populations over 1,000,000 it is calculated as Population x \$.90, for licenses with populations between 100,000 and 1,000,000 it is calculated as Population x \$.60, for licenses with populations under 100,000 it is calculated as Population x \$.30. The upfront payment for Block B is 10% of the Block A upfront payment (except as noted below for New York). All upfront payments are rounded up to the nearest dollar. The number of bidding units assigned to each license is equal to the amount of the upfront payment, (e.g., \$25,000 upfront payment yields 25,000 bidding units). The minimum upfront payment amount is \$2,500 per license.

(4) The New York A Block upfront payment is based on an encumbered population of 9,503,769, (the unencumbered BTA less the pops in the encumbered PMSA) but the B block upfront payment is based on an unencumbered population of 18,050,615.

Note regarding use of Major Trading Areas and Basic Trading Areas: Based on material Copyrighted 1992 by Rand McNally & Company. Rights granted pursuant to a license from Rand McNally & Company (through an arrangement with the Personal Communications Industry Association) to all interested parties for use solely in connection with the licensing, building, marketing and operation of personal communications services, certain specialized mobile radio services and local multipoint distribution services.

ATTACHMENT B

EXISTING 28 GHZ LICENSEE AND 31 GHZ LICENSEES

The Commission has decided to simultaneously auction two licenses in each BTA. One license (block A) is for 1,150 megahertz, and consists of 1,000 megahertz located in the 28 GHz band and 150 megahertz located in the center of the 300 megahertz segment of the 31 GHz band (31,075 - 31,225 MHz). There is one LMDS incumbent for block A in the New York Primary Metropolitan Statistical Area (PMSA). The counties comprising the New York PMSA are Bronx, Kings, New York, Putnam, Queens, Richmond, Rockland, and Westchester. The incumbent is subject to the Commission's Rules concerning LMDS and is entitled to interference protection from other LMDS licensees, including the eventual licensee for the remainder of the New York BTA, pursuant to those rules.

The second license (block B) is for 150 megahertz, and is located entirely in the 31 GHz band. This second 150 megahertz consists of two 75 megahertz segments located at each end of the 300 megahertz block (31,000 - 31,075 MHz and 31,225 - 31,300 MHz). LMDS service providers will be entitled to interference protection from any other presently-authorized primary users in the entire 31 GHz band. Although LMDS operations are permitted in the 31,000 - 31,075 and 31,225 - 31,300 MHz bands, incumbent governmental licensees and private business users operating in these two segments are entitled to protection against harmful interference from any LMDS operation in these blocks. Therefore, bidders should be aware that some BTAs have incumbent operations in the smaller 150 megahertz block that must be protected from harmful interference under the Commission's Rules.

Listed below are BTAs with incumbent licensees and the cities in which operations are authorized. Prospective bidders should not rely solely on this list, but should carefully review the Commission's databases and records before formulating bidding strategies. Records relating to these stations are available for public inspection during regular business hours in the FCC Public Reference Room at the Federal Communications Commission, 1270 Fairfield Road, Gettysburg, Pennsylvania.

Market No.	Basic Trading Area	Cities with Authorized Operations	Licensees/Call Signs
A001	New York, NY	NY PMSA	CellularVision of NY, L.P./WLT379
B262	Los Angeles, CA	La Habra, CA	City of La Habra/WNTV232
		Montclair, CA	City of Montclair/WNTR498, etc.
		Palm Springs, CA	City of Palm Springs/WNTV245, etc.
		San Bernardino, CA	City of San Bernardino/WNTS881 County of San Bernardino/WNTU750
		Upland, CA	City of Upland/WNTT952
Market No.	Basic Trading Area	Cities with Authorized Operations	Licensees/Call Signs

B245	Las Vegas, NV	Laughlin, NV	Budget Rental Car of Northern Arizona/WNTZ735
		Bullhead City, AZ	Budget Rental Car of Northern Arizona/WNTZ734
B402	San Diego, CA	San Diego, CA	City of San Diego/WPJF232
B404	San Francisco, CA	Cupertino, CA	City of Cupertino/WNTR886, etc.
		Daly City, CA	City of Daly City/WNTW384
		Menlo Park, CA	Venture Law Group/WPJF201, etc.
		Petaluma, CA	City of Petaluma/WNTT654, etc.
		Santa Clara, CA	City of Santa Clara/WNTR417
		San Francisco, CA	Academy of Art College/WPJB264, etc.
B389	Sacramento, CA	Sacramento, CA	State of California/WNTY579
B434	Stockton, CA	Tracy, CA	City of Tracy/WNTW798
B074	Charlotte, NC	Charlotte, NC	City of Charlotte/WNTW392
B051	Boston, MA	Framingham, MA	Preseptive Bio Systems, Inc./WPJC807, etc.
		Natick, MA	Natural Microsystems, Inc./WPJC925, etc
B024	Atlanta, GA	Marietta, GA	County of Cobb/WPJE982
B297	Milwaukee, WI	Milwaukee, WI	Dept. of Transportation State of WI/WPJD491, etc.
B413	Seattle-Tacoma, WA	Burlington, WA	State of Washington/WNTR826
		Seattle, WA	State of Washington/WNTS695, etc.
B347	Phoenix, AZ	Mesa, AZ	Lutheran Healthcare Network/WNTX926
B421	Sioux City, IA	Sioux City, IA	Nutra Flo ITI/WNTV448, etc.
Market No.	Basic Trading Area	Cities with Authorized Operations	Licensees/Call Signs
B445	Topeka, KS	Topeka, KS	City of Topeka/WNTW208

B202	Idaho Falls, ID	Idaho Falls, ID	City of Idaho Falls/WNTW717
		Gulf of Mexico	Chevron USA, Inc./WNTX932

ATTACHMENT C

**GUIDELINES FOR COMPLETION
OF FCC FORMS 159 AND 175 AND EXHIBITS**

A. FCC Form 175

Because of the significance of the FCC Form 175 application to the auction, bidders should especially note the following:

Paper form version: Manual filers must use the September 1997 edition of the FCC Form 175 and the October 1995 edition of the 175-S (if applicable). Earlier versions of the FCC Form 175 will not be accepted. Copies of the FCC Form 175 can be obtained by calling the Commission's Forms Distribution Center at 1-800-418-3676 (outside Washington, D.C.) or 202-418-3676 (in the Washington area). Copies of the FCC Form 175 can also be obtained via Fax-On-Demand at 202-418-0177. If applicants have any questions concerning availability of the FCC Form 175, they should call the FCC Records Management Branch at 202-418-0210.

Items 2-5: Give a street address (not a Post Office box number) for the applicant, suitable for mail or private parcel delivery. The FCC will send all registration materials and other written communications to the applicant at this address.

Item 6: The LMDS auction will be the seventeenth auction conducted by the FCC. For "Auction No." in item 6 of the FCC Form 175, enter "17."

Item 7: Applicants must enter their nine-digit Taxpayer Identification Number (TIN). The taxpayer identification number will be your Employer Identification Number (EIN) or Social Security Number (SSN) as reported to the Internal Revenue Service.

Each applicant must include this same TIN when submitting amendments, additional information, or other correspondence or inquiries regarding its application, and must include this same number on each FCC Form 159 (FCC Remittance Advice) accompanying required auction deposits or payments. With the exception of the TIN, any information provided on this form will be available for public inspection.

Item 8: Applicants must indicate their legal classification. The September 1997 version of FCC Form 175 requires the applicant to classify itself as an individual, partnership, trust, corporation, government entity, limited liability company (LLC) or association.

Items 9 and 10: A box does not need to be checked in Item 9 unless small business status is selected in Item 10. Applicants should be aware that they will be committed to their election choices. (Applicants are also requested to indicate their status as a rural telephone company, minority-owned business and/or women-owned business, so that the FCC can monitor its performance in promoting economic opportunities for these designated entities.) Be advised that

this is the sole opportunity applicants have to elect small business status and bidding credit level (if applicable), and there is no opportunity to change the election once the short-form filing deadline passes.

- Very small business, small business, or entrepreneur applicants eligible for bidding credits should check that gross revenues do not exceed the maximum dollar amount specified in the FCC rules governing the auctionable service in Item 9.
- Very small business, small business, or entrepreneur applicants should enter the applicable bidding credit in Item 10: either 25, 35 or 45 percent. Applicants should be aware that this is the sole opportunity that they will have to elect the appropriate bidding credit.
- Applicants should leave the Installment Payment Plan Type blank, as none is available for this auction.

Item 11: For each license on which they seek bidding eligibility, applicants must identify the market number in the Market No. column, and the frequency block or blocks in the Frequency Block/Channel No. set of columns. The market number for each BTA is listed in Attachment A; frequency blocks are A and B. Applicants that wish to bid on all BTAs in a given frequency block or blocks should check the "ALL" box in the Market No. column and list the frequency block or blocks desired in the Frequency Block/Channel No. headings. If filing manually, the FCC Form 175 provides space to list only five markets, and applicants should use one or more FCC Forms 175-S to list any additional markets.

Applicants should identify in Item 11 all licenses on which they want to be eligible to bid in the auction. Be advised that there is no opportunity to change this list once the short-form filing deadline passes. The FCC auction system will not accept bids on licenses for which an applicant has not applied on its FCC Form 175.

Item 12: Applicants must list the name(s) of the person(s) (no more than three) authorized to represent them at the auction. Only those individuals listed on the FCC Form 175 will be authorized to place or withdraw bids for the applicant during the auction.

Certifications: Applicants should carefully read the list of certifications on the FCC Form 175. These certifications help to ensure a fair and competitive auction and require, among other things, disclosure to the Commission of certain information on applicant ownership and agreements or arrangements concerning the auction. Submission of an FCC Form 175 application constitutes a representation by the certifying official that he or she is an authorized representative of the applicant, has read the form's instructions and certifications, and that the contents of the application and its attachments are true and correct. Submission of a false certification to the Commission may result in penalties, including monetary forfeitures, license forfeitures, ineligibility to participate in future auctions, and/or criminal prosecution.

Contact person: If the Commission wishes to communicate with the applicant by telephone or

fax, those communications will be directed to the contact person identified on the FCC Form 175. Space is provided for a telephone number, fax number, and e-mail address. All written communication and registration information will be directed to the applicant's contact person at the address specified on the FCC Form 175. Applicants must provide a street address; no P.O. Box addresses may be used.

Signature: Manually filed FCC Forms 175 must bear an original signature. Absence of an original signature will result in dismissal of the application and disqualification of the applicant from participating in the auction. (Applicants filing electronically should type the name of the certifying official in the Name of Person Certifying block.)

Paper or Diskette Copies: For this auction the FCC will accept, in lieu of paper copies, a 3.5-inch diskette which contains **ASCII text (.TXT)** files of all exhibit documentation attached to the FCC Form 175. (Applicants that use a word processing program to prepare these files must be sure to save the files in the ASCII format before submitting the diskette, and verify that the ASCII files contain all exhibit information.)

Completeness: Applicants must submit all information required by the FCC Form 175 and by applicable rules, including a certifying signature on manual filings. **Failure to submit required information by the resubmission date will result in dismissal of the application and inability to participate in the auction.** See 47 C.F.R. § 1.2105(b).

Continuing Accuracy: Each applicant is responsible for the continuing accuracy and completeness of information furnished in the FCC Form 175 and its exhibits. See 47 C.F.R. § 1.65. It is the FCC's position that ten business days from a reportable change is a reasonable period of time in which applicants must amend their FCC Forms 175. Applicants are reminded that Certification 6 on the FCC Form 175 includes consent to be audited.

B. Exhibits and Attachments

In addition to the FCC Form 175 itself, applicants must submit additional information required by the FCC's rules. Although the FCC does not require a particular format for this information, it has developed the following guidelines that will facilitate the processing of short-form applications. The FCC encourages applicants filing both electronically and manually to submit this information using the following format. **All exhibits must be in ASCII text (.TXT).**

Exhibit A -- Applicant Identity and Ownership Information: 47 C.F.R. § 1.2105(a)(2)(ii) requires each applicant to fully disclose the real party or parties-in-interest in an exhibit to its FCC Form 175 application. The information should provide the name, citizenship, and address of all partners, if the applicant is a partnership; of a responsible officer or director, if the applicant is a corporation; of the trustee, if the applicant is a trust; or, if the applicant is none of the foregoing, of a principal or other responsible person.

Exhibit B -- Agreements with Other Parties/Joint Bidding Arrangements: Applicants must

attach an exhibit identifying all parties with whom they have entered into any agreements, arrangements or understandings which relate in any way to the licenses being auctioned, including any relating to the post-auction market structure. See 47 C.F.R. § 1.2105(a)(2)(viii).

Be aware that pursuant to Certification (4) on the FCC Form 175, the applicant certifies that it will not enter into any explicit or implicit agreements or understandings of any kind with parties not identified in the application regarding bid amounts, bidding strategies, or the particular licenses the applicant will or will not bid. See 47 C.F.R. § 1.2105(a)(2)(ix). *To prevent collusion, the Commission's Rules generally prohibit communication among applicants for the same license areas between the initial short-form applications filing deadline and the down payment on licenses won, when such communications concern bids, bidding strategies, or settlements.* 47 C.F.R. § 1.2105(c).

Exhibit C -- Status as a Very Small Business, Small Business, or Entrepreneur Applicant:

Applicants claiming status as a very small business, small business, or entrepreneur must attach an exhibit regarding this status.

- Very small business, small business, and entrepreneur applicants must set forth the average gross revenues for the preceding three years for the applicant (including affiliates and controlling principals), as prescribed by 47 C.F.R. § 101.1109. Certification that the average gross revenues for the preceding three years do not exceed the required limit is insufficient.

Exhibit D -- Information Requested of Designated Entities: Applicants owned by minorities or women, as defined in 47 C.F.R. § 1.2110(b), or who are rural telephone companies, may attach an exhibit regarding this status. This information, in conjunction with the information in Item 10, will assist the Commission in monitoring the participation of these "designated entities" in its auctions.

Exhibit E -- Miscellaneous Information: Applicants wishing to submit additional information should include it in Exhibit E.

Applicants are reminded that all information required in connection with applications to participate in spectrum auctions is necessary to determine the applicants' qualifications, and as such will be available for public inspection. Required proprietary information may be redacted, or confidentiality may be requested, following the procedures set forth in 47 C.F.R. § 0.459. Such requests must be submitted in writing to Kathleen O'Brien Ham, Chief, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, Federal Communications Commission, 2025 M Street, N.W., Room 5202, Washington, D.C. 20554 (with a separate copy mailed to Matthew Moses, Auctions and Industry Analysis Division), in which case the applicant must indicate in Exhibit E that it has filed a confidentiality request. Because the required information bears on applicants' qualifications, the FCC envisions that confidentiality requests will not be routinely granted.

Waivers: Applicants requesting waiver of any rules must submit a statement of reasons sufficient

to justify the waiver sought.

**AUCTION-SPECIFIC INSTRUCTIONS
FCC REMITTANCE ADVICE, FCC FORM 159
UPFRONT PAYMENTS**

The following information supplements the standard instructions for FCC Form 159, and is provided to help ensure correct completion of FCC Form 159 for upfront payments for LMDS auction (Auction No. 17). Applicants need to complete FCC Form 159 carefully, since:

- Mistakes may affect their bidding eligibility; and
- Lack of consistency between information set forth in FCC Form 159, FCC Form 175, long-form application, and correspondence about an application may cause processing delays.

Therefore appropriate cross-references between the FCC Form 159 Remittance Advice and the FCC Form 175 Short Form Application are described below.

<u>Block Number</u>	<u>Required Information</u>
1	LOCKBOX # - Enter "358420".
2	Payer Name - Enter the name of the person or company making the payment. If the applicant itself is the payer, this entry would be the same as FCC Form 175, block 1 of the FCC Form 175.
3	Total Amount Paid – Enter the amount of the upfront payment associated with the FCC Form 159.
4-8	Street Address, City, State, ZIP Code – Enter the street mailing address (not Post Office box number) where mail should be sent to the payer. If the applicant is the payer, these entries would be the same as FCC Form 175, blocks 2 through 5.
9	Daytime Telephone Number – Enter the telephone number of a person knowledgeable about this upfront payment.
10	Country Code – For addresses outside the United States, enter the appropriate postal country code (available from the Mailing Requirements Department of the U.S. Postal Service).
20A	Payment Type Code – Enter "A W L U."
21A	Quantity – Enter the number "1."
22A	Amount Due – Enter the total upfront payment due.

23A FCC Code 1 – Enter the number "17" (indicating Auction No. 17).

26 Applicant TIN - Same as FCC Form 175, block 7.

- NOTES:
- Do not use Remittance Advice (Continuation Sheet), FCC Form 159-C, for upfront payments.
 - If applicant is different from the payer, complete blocks 11 through 18 for the applicant, using the same information shown on FCC Form 175. Otherwise leave them blank.
 - Since credit card payments will not be accepted for this auction, leave this area blank.

**AUCTION-SPECIFIC INSTRUCTIONS
FCC REMITTANCE ADVICE, FCC FORM 159
DOWN PAYMENTS AND FINAL PAYMENTS**

Specific information regarding down payments and final payments will be included in a post-auction public notice announcing the winning bidders.

INSTRUCTIONS FOR COMPLETING FCC FORMS 159 AND 159-C (REMITTANCE ADVICE AND CONTINUATION SHEET)

NOTE: All required blocks must be completed or it may result in a delay in processing or the return of your application.

(1) Lockbox No. - Enter the appropriate six-digit P.O. Box Number as found in either the FCC Fee Filing Guide for the service requested, or as specified in the Public Notice.

SECTION A

(2) Payer Name - Enter the name of the person or company (i.e., maker of the check) making the payment. If using an individual name, enter the last name, first name, and middle initial). If a company, enter the name used commercially. If paying by credit card, enter the name exactly as it appears on your card. (You must also complete Section D- block 25 of the taxpayer information at the bottom of the Form 159.)

(3) Total Amount Paid - Enter the total amount of your remittance.

(4) Street Address (Line 1) - The street address or post office box number to which correspondence should be sent.

(5) Street Address (Line 2) - This line may be used if further identification of the address is required.

(6) City - The name of the city associated with the street address given in (4).

(7) State - If the payer has a United States mailing address enter the appropriate two-digit state abbreviation as prescribed by the U.S. Post Office. If the payer has a mailing address outside the United States, leave this section blank.

(8) ZIP Code - Enter the appropriate five or nine-digit ZIP code prescribed by the U.S. Post Office. If address is foreign, enter the appropriate ZIP (postal) code.

(9) Daytime Telephone Number - Enter the payer's ten-digit daytime telephone number, including area code. For foreign telephone numbers include the appropriate country dialing access code, as if you were calling from the United States. This daytime number should be the number

where you can be reached during normal business hours.

(10) Country Code - This section is for payers who have an address outside the United States of America. Enter the appropriate code here. To obtain country code information, contact the Mailing Requirements Dept. of the U.S. Postal Service.

SECTION B

COMPLETE THIS SECTION IF THE PAYER AND APPLICANT NAMES ARE DIFFERENT.

(11) Applicant Name, which includes Licensees, Regulatees or Debtors - Enter the name (last, first, middle initial) as it appears on the original application or filing being submitted. If this is a company, enter name used commercially. If you are using this form to pay for multiple applicants with a single remittance, each applicant must be listed separately using the continuation sheet - Form 159-C. (If the name is the same as the payer, (block 2), it is not necessary to fill out this section, MOVE TO

SECTION C.)

(You must complete Section D - block 26 of the taxpayer information at the bottom of the Form 159.)

(12) Street Address (Line 1) - (Same instructions as block 4 above.)

(13) Street Address (Line 2) - (Same instructions as block 5 above)

(14) City - (Same instructions as block 6 above.)

(15) State - (Same instructions as block 7 above.)

(16) ZIP Code - (Same instructions as block 8 above.)

(17) Daytime Telephone Number - (Same instructions as block 9 above.)

(18) Country Code - (Same instructions as block 10 above.)

SECTION C

(19) FCC Call Sign/Other Identifier - Enter an applicable call sign or unique FCC identifier, if any, as prescribed by the appropriate FCC Fee Filing Guide or Public Notice.

(20) Payment Type Code (PTC) - Enter the appropriate payment type code for the service you are requesting as found in the appropriate FCC Fee Filing Guide or Public Notice. *(Incorrect or omitted payment type codes may result in your application or filing being returned to you without further processing.)* You are allowed to file multiple actions. There are three ways "multiple actions" are defined. The following examples provide instructions on how multiple actions should be filed when using FCC Forms 159 & 159-C:

(i) If a single service allows for a quantity of more than one of the same action, as defined in the

appropriate Fee Filing Guide or Public Notice, complete Section C. (e.g., if you are filing an ownership report in the mass media services you may pay for both your AM & FM stations using the same payment type code and a quantity of two as long as it can be filed in the same lockbox.) Blocks 23 & 24 are only to be completed when required by Public Notice.

(ii) If you are filing concurrent actions (not the same actions) in the same lockbox, on the same application, refer to the appropriate Fee Filing Guide or Public Notice for specific instructions as to the number of quantities allowed. Complete Section C. (e.g., you may file a regulatory fee for a CARS license and Broadcast Auxiliary license or you may file a regulatory fee for a mass media service and a common carrier service on the same FCC Form 159 by using the designated payment type codes, and quantities as defined by the Public Notices.) Complete a separate item for each action required. Blocks 23 & 24 are only to be completed when required by Public Notice.

(iii) If a single Remittance Advice is used to pay for more than one applicant, licensee, regulatee or debtor, for permitted action(s) in the same lockbox, then a Continuation Sheet (159-C) must be completed for each applicant, licensee, regulatee or debtor. (e.g., if you are paying for different applicants submitting separate Domestic 214 Applications in the common carrier services, they can all be filed on one FCC Form 159 as long as they are filed in the same lockbox. Each additional applicant must submit a separate FCC Form 159-C and all required blocks must be completed.

Remember, if any of these applications fall into category (i) or (ii) above, you can follow those

instructions as well. Make sure to check the appropriate FCC Fee Filing Guide or Public Notice for any special filing stipulations that may apply.

(21) Quantity - Enter the total number of actions required with this submission. Refer to the FCC Fee Filing Guide or Public Notice for information concerning multiple requests.

(22) FEE Due for (PTC) in Block 20 - Multiply the total quantity by the fee for this payment type code and enter here.

(23) FCC Code 1 - This section is used for special filing codes as required by the Bureau/Office or Public Notice. Do not complete this block unless instructed to do so.

(24) FCC Code 2 - This section is used for special filing codes as required by the Bureau/Office or Public Notice. Do not complete this block unless instructed to do so.

SECTION D

(25) Payer TIN - Enter your Taxpayer Identification Number (TIN) following the pre-printed "0". The taxpayer identification number will either be your Employer Identification Number (EIN) or Social Security Number (SSN) as reported to the Internal Revenue Service.

(26) Applicant TIN - Complete this section only if applicant name in Section B - block 11 is different from payer name in Section A, block 2. In accordance with the Debt Collection Improvement Act of 1996, you must provide your Taxpayer Identification Number (TIN). This is either your EIN or SSN as defined in item 25. You must provide a TIN for each applicant covered by this filing.

SECTION E

(27) Certification Statement - This section must be completed and signed. Failure to do so may delay the processing of your application/filing.

SECTION F

(28) Credit Card Data - If remitting payment by credit card, place an "x" in the appropriate block for the credit card being used - MasterCard or Visa only. Enter your credit card number and expiration date. Sign and date the FCC Form 159 to authorize your credit card payment. (If any area required for credit card approval is incomplete, the application will be returned unprocessed.)

Continuation Sheet Form 159-C

FCC Remittance Advice Continuation Sheet (FCC Form 159-C) - Use this form for any additional services pertaining to this filing, or if you are paying for multiple applicants with a single payment. (See Sections B, C and D of the instructions to assist you in completing this form. For each additional applicant listed in Section BB of the FCC Form 159-C, you must complete Section DD - taxpayer information at the bottom of the continuation sheet. Each additional applicant must use a separate Form 159-C.

Note: Checks must be denominated in U.S. Currency and deposited in a U.S. financial institution. No checks drawn on a foreign bank will be accepted.

NOTICE TO INDIVIDUALS REQUIRED BY THE
PRIVACY ACT OF 1974 AND THE PAPERWORK
REDUCTION ACT

The solicitation of the personal information requested in this form is authorized by the Communications Act, Sections 8 & 9, and other debts under the Debt Collection Improvement Act of 1996. P.L. 104-134. The form will be used primarily to capture information to maintain required accounts receivable, and collect fines and debts due the Commission. As part of the Debt Collection Improvement Act, agencies are authorized to refer specific Taxpayers Identification information which includes Employer Identification Numbers and Social Security Numbers to the Department of Treasury for further investigation and possible enforcement of a statute, rule, regulation or order. If we believe there may be a violation or potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party to a proceeding before the body or has an interest in the proceeding. If information requested on the form is not provided, processing of the application/filing may be delayed or returned without action pursuant to Commission rules.

If you owe a past due debt to the Federal Government, the taxpayer identification number (such as your social security number) and other information you provide may also be disclosed to the Department of the Treasury, Financial Management

Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized

We have estimated that each response to this collection of information will take, on average, 30 minutes. Our estimate includes the time to read the instructions, look through existing records, gather and maintain required data, and actually review and complete the form. If you have any comments on this estimate, or on how we can improve the collection of this data to reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Washington, DC 20554, Paperwork Reduction Project (3060-0589). We will also accept your comments via the Internet if you send them to jboley@fcc.gov. Please DO NOT SEND COMPLETED APPLICATION FORMS TO THIS ADDRESS.

Remember -- You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0589.

This notice is required by the Privacy Act of 1974, Public Law 93-579, December 31, 1974, 5 U.S.C. Section 552a(e) (3) and the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, 44 U.S.C. 3507.

ADVICE REFERENCE GUIDE
HOW TO USE FCC FORM 159-REMITTANCE ADVICE

The FCC Form 159, "Remittance Advice", and FCC Form 159-C, (Continuation Sheet) is a multi-purpose form that generally accompanies (see chart below for specific instructions) any payment to the FCC (e.g., regulatory fees, processing fees, auctions payments, fines, forfeitures, Freedom of Information Act (FOIA) billings, or any other debt due). The information on this form is collected to ensure credit for full payment, to ensure you receive any refunds due, to service public inquiries, and to comply with the Debt Collection Improvement Act of 1996.

If you are using this form to:	Then:
Pay a Regulatory Fee for Private Wireless Services	You must pay your regulatory fee, in addition to your application fee at the time of renewal or at the time the original license application is requested. Consult the appropriate FCC Fee Filing Guide on where to file for this service.
Pay a Regulatory Fee for any of the Mass Media, Common Carrier, Cable, International Services, or Commercial Wireless Services	You must submit FCC Form 159 - FCC Remittance Advice. Consult the FCC's Public Notice for specific instructions, and where to file for this service.
Pay a Processing Fee for multiple applications filed within the same lockbox with a single remittance	You must submit FCC Form 159, FCC Remittance Advice. Consult the appropriate FCC Fee Filing Guide for where to file for this service.
Pay a Processing Fee for a service that does not require a specific FCC Form, (e.g. request for Special Temporary Authority)	You must submit FCC Form 159, FCC Remittance Advice. Consult the appropriate FCC Fee Filing Guide for where to file for this service.
Pay for an Auction	You must submit FCC Form 159, FCC Remittance Advice. Consult FCC Public Notice or Bidder Information Package for specific instructions, and where to file for this service.
Pay for Fines/Forfeitures, Freedom of Information Act Fees Billings or any other debts	All customers paying for any of these categories must submit a FCC Form 159, FCC Remittance Advice, and a copy of their notice or invoice to the appropriate lockbox. Please refer to the specific instructions accompanying your billing document. Pay to the address designated on the notice or invoice you received.
Pay by credit card, money order, or wire transfer	You must submit FCC Form 159, FCC Remittance Advice.
Pay by Western Union Quick Collect	You must submit FCC Form 159, FCC Remittance Advice. Consult the appropriate FCC Fee Filing Guide for where to file for this service.

Note: Fee Filing Guides can be obtained by calling Forms Distribution -- (202) 418-3676 or 1-800-418-3676, or by calling the FCC's Fax-On-Demand service -- (202) 418-0177 from a fax handset.

ATTACHMENT D

ELECTRONIC FILING OF FCC FORM 175

The Commission has implemented a remote access system to allow applicants to submit their FCC Form 175 applications electronically. The remote access system for initial filing of the FCC Form 175 applications will generally be available 24 hours per day beginning on October 27, 1997. FCC Form 175 applications that are filed electronically using this remote access system must be submitted and confirmed by **5:30 p.m. ET on November 17, 1997**. Late applications or unconfirmed submissions of electronic data will not be accepted. The electronic filing process consists of an initial filing period and a resubmission period to make minor corrections.

Parties interested in filing FCC Form 175 applications electronically may do so in one of two ways:

- o Via a (202) number code telephone service with no additional access charge; or
- o Via a 900 number telephone service at a charge of \$2.30 per minute. The first minute of connection time to the 900 number service will be at no charge.

Similarly, parties interested in reviewing FCC Form 175 applications electronically can do so via the 900 telephone service at a charge of \$2.30 per minute. The first minute of connection time to the 900 number service will be at no charge.

Applicants who wish to file their FCC Form 175 electronically or review other FCC Form 175 applications on-line will need the following hardware and software:

Hardware Requirements:

- o CPU: Intel 80486 or above
- o RAM: 8 MB RAM (more recommended if you intend to open multiple applications)
- o Hard Disk: 12 M available disk space
- o Modem: v.32bis 14.4kbps Hayes compatible modem
- o Monitor: VGA or above
- o Mouse or other pointing device

To create backup installation disks for the FCC Form 175 Application, you will need the following:

- o 1.44 M 3.5" Floppy Drive
- o Three blank MS-DOS® formatted 1.44-M floppy disks

Software Requirements:

- o FCC Form 175 Application Software (available through the Internet and the FCC Bulletin Board System)
- o Microsoft Windows 3.1 or Microsoft Windows for Workgroups v3.11

Note: The FCC Form 175 Application has not been tested in Macintosh, OS/2, or Windows 95

environments. Therefore, the FCC will not support operating systems other than Microsoft Windows 3.1 or Microsoft Windows for Workgroups v3.11. This includes any other emulated Windows environment. If your Windows is in a networked environment, check with your local network administrator for any potential conflicts with the PPP (Point-to-Point Protocol) Dialer that is incorporated into the FCC Form 175 Application. This usually includes any TCP/IP installed network protocol.

The PPP Dialer that is incorporated into the FCC Form 175 Application will establish a point-to-point connection from your PC to the FCC Network. *This point-to-point connection is not routed through the Internet.*

Applicants who wish to file their FCC applications electronically or who wish to view other applicants' applications must first download the software from either the Internet or the FCC Bulletin Board System. Applicants must download the following compressed files to install the software:

f175v12a.exe, f175v12b.exe, f175v12c.exe.

Download Method 1: Internet Access

You may download the compressed files from your Internet browser using either http or ftp, as described in the following sections.

- o **Internet Browser via http** *http://www.fcc.gov*
 1. Connect to your Internet service provider and start your Internet browser
 2. Enter the following location: *http://www.fcc.gov*
 3. Click on *Auctions*
 4. Scroll down to Auction 17 and click on the *Auctions Tools/Programs* icon.
 5. Download the following files: **f175v12a.exe, f175v12b.exe, f175v12c.exe**

- o **Internet Browser via ftp:** *ftp://ftp.fcc.gov/pub/Auctions/LMDS/Auction_17/Programs*
 1. Connect to your Internet service provider and start your Internet browser.
 2. Enter the following location: *ftp://ftp.fcc.gov*
 3. Click on the *pub* directory
Click on the *Auctions* directory
Click on the *LMDS* directory
Click on the *Auction_17* directory
Click on the *Programs* directory

4. Download the following files: **f175v12a.exe, f175v12b.exe, f175v12c.exe**

Download Method 2: Dial-In Access to the FCC Auction Bulletin Board System (BBS):

The FCC Auction Bulletin Board System (BBS) provides dial-in access for the FCC Form 175 Application Software. To access the FCC Auction BBS, use a communications package that can handle at least Xmodem protocol (such as PcAnyWhere, Procomm, or Microsoft Terminal in Windows 3.x) to dial in to (202) 682-5851. Use the settings of 8 data bits, no parity and 1 stop bit (8,N,1).

Once your computer is connected to the Auction BBS, do the following:

1. To create an account:

- (a) Enter your first name.

Note: Throughout these instructions, “enter” means to type the appropriate information and then press the Enter key.

- (b) Enter your last name.

- (c) When asked whether you want to create an account, enter **Y**.

- (d) When prompted, enter a password.

The password can be from four to ten characters long, where the characters can be either letters or numbers.

- (e) To confirm the password, enter it again.

- (f) When prompted for contact information, enter your voice phone number. Include the area code; for example, you might enter **202-555-1234**.

- (g) Enter your company name.

2. On the Welcome screen, enter **C** for Continue. (You may also enter **c**, the program accepts either case.)

Since C is the default (automatic) selection, you can also just press Enter to continue.

3. When asked whether you want to view the bulletin menu, enter **Y** for Yes. Then, to continue, press Enter to obtain the FCC Auction BBS Main Menu.

4. Enter **A** (for Auction Menu) to obtain the Auction Library Menu. The top options on this menu provide a range of numbers to represent the available auctions.

5. To select Auction 17, enter **B** to select the second range.

6. On the Auctions Library Menu, enter the number of the auction you want. Enter **17**, in this case.

The Auction Menu appears.

7. Enter **P** to select Program files.

The list of available files for Auction 17 appears. These files are sorted by date, with the most recent files at the beginning of the list.

8. To scroll downward to the next screen of file names, either press Enter or enter **C** for Cont. To scroll upward to the preceding screen of file names, enter **P** for Prev.

Note that on each screen, file names are numbered separately, starting with 1.

9. To select one or more files for downloading or viewing, mark the files you want. The program marks a file by preceding its name with an asterisk (*).

You can do the following:

- To mark an individual file, enter its line number.
- To mark a range of files, enter **M** (for Mark) and then enter the range of files in response to the prompt.

For example, to mark files 6 through 12, enter **6-12** at the prompt.

- To unmark a file, enter its number again.

You can also use Mark to unmark a range of files.

Use any of these techniques to mark the following files: **f175v12a.exe**, **f175v12b.exe**, **f175v12c.exe**

10. When you have finished marking files, download them as follows:

- (a) Enter **D** for Dnld.

The program displays a list that summarizes the download operation. The Time column lists the download time for each file; the Total Time column lists a running total of the download times.

- (b) Enter **D** to proceed.

- (c) Select the file transfer protocol that has been specified in your terminal emulation software (e.g., Xmodem or Zmodem).

When the download operation has finished, the list of files reappears.

11. Enter **X** to leave the BBS.

Extracting the FCC Form 175 Application

The FCC Form 175 Application files are downloaded in a self-extracting, compressed file format. When you have downloaded **all** of the compressed files for the FCC Form 175 Application, you must extract the FCC Form 175 Application from those files. To extract the software, start File Manager in the Main Program group, open the file folder where you downloaded the files, and double-click on **f175v12a.exe**. A message will appear listing the default directory to which the software will extract. If this directory does not exist, it will be created automatically. Press Unzip to begin extracting the software from the compressed file.

When the extraction is complete, a message will appear listing the number of files that were unzipped. Press OK and repeat the above process for the remaining compressed files (**f175v12b.exe, f175v12c.exe**). Be sure to extract to the **same** directory as the first compressed file.

Installing the FCC Form 175 Application

After you extract the software from the compressed files, you must install the FCC Form 175 Application. To install the software, start File Manager, open the file folder to which you extracted the software, and double-click on **setup.exe**.

To begin, the setup program shows a screen listing the default directory to which the software will install. Press the Install button, then press OK to install to the specified directory. If the directory does not exist, the setup program will create it automatically.

When the installation is complete, a message may appear asking you to restart Windows so that the changes made by the installation may take effect. Press Restart to restart Windows or press Stay Here to restart at a later time. Do not use the FCC Form 175 Application until you have restarted Windows.

Creating Backup Installation Disks for the FCC Form 175 Application

To create backup installation disks for the FCC Form 175 Application, go to File Manager, open the file folder to which you extracted the software, double-click on **backup.bat**, and follow the instructions on the screen.

Running the FCC Form 175 Application

When the installation process is complete, you will have a new Program Manager group called FCC Form 175 Application v12 with the following icons: Configure PPP, FCC Form 175 Submit, FCC Form 175 Review, Suggestion Box, Readme File, and Uninstall.

You must verify/modify the parameters in the Configure PPP program prior to establishing a PPP connection. Please consult the readme.txt file included with the software for information regarding Configure PPP.

Double-click on an icon to start the respective system.

Uninstalling the FCC Form 175 Application

To uninstall the FCC Form 175 Application, double-click on the Uninstall icon in the FCC Form 175 v12 program group. Press Start to uninstall the software.

Note that the Uninstall program will remove *all* versions of the FCC Form 175 software located in that installation directory.

Alternatively, you may uninstall the FCC Form 175 Application by deleting the directory to which you installed the software, then switching to Program Manager and deleting the FCC Form 175 v12 icons and group.

Help

Detailed instructions for using all FCC Remote Electronic Auction System software are contained in the readme file associated with the software and in the context-sensitive help function associated with each software system.

For technical assistance in installing or using the FCC Form 175 Application, contact the FCC Technical Support Hotline at (202) 414-1250. The FCC Technical Support Hotline will be generally available Monday through Friday, from 9 a.m. to 6 p.m. ET.

ATTACHMENT E

SUMMARY LISTING OF DOCUMENTS FROM THE COMMISSION AND THE WIRELESS TELECOMMUNICATIONS BUREAU ADDRESSING APPLICATION OF THE ANTI-COLLUSION RULES

To date, discussion concerning the anti-collusion rules may be found in the following Commission and Bureau documents:

Commission Decisions:

Second Report and Order in PP Docket No. 93-253, FCC 94-61, 9 FCC Rcd 2348 (1994), paragraphs 221-226.

Fifth Report and Order in PP Docket No. 93-253, FCC 94-178, 9 FCC Rcd 5532 (1994), paragraphs 91-92.

* Internet Address: <http://www.fcc.gov/wtb/auctions/smr200u1/frao3253.pdf/txt/wp>

Second Memorandum Opinion and Order in PP Docket No. 93-253, FCC 94-215, 9 FCC Rcd 7245 (1994), paragraphs 48-55.

Fourth Memorandum Opinion and Order in PP Docket No. 93-253, FCC 94-264, 9 FCC Rcd 6858 (1994), paragraphs 47-60.

*Internet Address: <http://www.fcc.gov/wtb/auctions/smr200u1/fmoo4264.pdf/txt/wp>

Memorandum Opinion and Order in PP Docket No. 93-253, FCC 94-295, 9 FCC Rcd 7684 (1994), paragraphs 8-12.

In re Commercial Realty St. Pete, *Notice of Apparent Liability for Forfeiture*, 10 FCC Rcd 4277 (1995).

In re Applications of GWI PCS, Inc. For Authority to Construct and Operate Broadband PCS Systems Operating on Frequency Block C, *Memorandum Opinion and Order*, DA 96-674 (released April 4, 1997).

Wireless Telecommunications Bureau Decisions:

Order in PP Docket No. 93-253 and MM Docket No. 94-131, DA 95-2292 (released November 3, 1995).

Public Notices:

"Wireless Telecommunications Bureau Clarifies Spectrum Auction Anti-Collusion Rules," *Public Notice*, DA 95-2244 (released October 26, 1995).

*Internet Address: http://www.fcc.gov/Bureaus/Wireless/Public_Notices/1995/da952244.txt

"Wireless Telecommunications Bureau Provides Guidance on the Anti-Collusion Rule for D, E and F Block Bidders," *Public Notice*, DA 96-1460 (released August 28, 1996).

*Internet Address: <http://www.fcc.gov/wtb/auctions/smr200u1/da961460.txt/wp/pdf>

Letters from the Office of General Counsel and the Wireless Telecommunications Bureau:

Letter to Gary M. Epstein and James H. Barker from William E. Kennard, General Counsel, Federal Communications Commission (released October 25, 1994).

Letter to Alan F. Ciamporcero from William E. Kennard, General Counsel, Federal Communications Commission (released October 25, 1996).

Letter to R. Michael Senkowski from Rosalind K. Allen, Acting Chief, Commercial Radio Division, Wireless Telecommunications Bureau (released December 1, 1994).

Letter to Leonard J. Kennedy from Rosalind K. Allen, Acting Chief, Commercial Radio Division, Wireless Telecommunications Bureau (released December 14, 1994).

Letter to Jonathan D. Blake and Robert J. Rini from Kathleen O'Brien Ham, Chief, Auctions Division, Wireless Telecommunications Bureau, DA 95-2404 (released November 28, 1995).

Letter to Mark Grady from Kathleen O'Brien Ham, Chief, Auctions Division, Wireless Telecommunications Bureau, DA 96-587 (released April 16, 1996).

Letter to David L. Nace from Kathleen O'Brien Ham, Chief, Auctions Division, Wireless Telecommunications Bureau, DA 96-1566 (released September 17, 1996).

Miscellaneous:

The Commission has received a formal complaint alleging that the practice of using "trailer" bids to signal interest in particular markets (*e.g.*, by using the BTA number of a market as the final three digits of the bid amount) is an improper disclosure of bidding strategy, and as such violates the anti-collusion rule, 47 C.F.R. § 1.2105(c). The Commission has reached no determination on the merits of this argument but is investigating the matter. See *In re Application of Mercury PCS II, LLC to Bid in the Broadband PCS Auction for Authorization to Serve BTAs 013 (Amarillo, Texas) and 264 (Lubbock, Texas) on Frequency Blocks D, E and F (Auction No. 11), Emergency Motion for Disqualification* (filed November 26, 1996), and related pleadings.

*Please Note: When the address is followed by ". pdf/txt/wp," the document is available in more than one format. In order to review a document in its entirety (including footnotes), it is necessary to access the document in the Word Perfect or Acrobat Reader formats.

pdf = Acrobat Reader
txt = Text format
wp = Word Perfect format