



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 99-1638
August 16, 1999

CLOSED BROADCAST AUCTIONS

Report No. AUC-99-25-E (Auction 25)

FORM 175 FILING REQUIREMENTS

In the Public Notice released July 9, 1999, *Closed Broadcast Auction, Notice and Filing Requirements for Auction of AM, FM, TV, LPTV, and FM and TV Translator Construction Permits Scheduled for September 28, 1999*, Public Notice, DA 99-1346 (released July 9, 1999), a list of each MX Group in Auction No. 25, along with the upfront payment and minimum opening bid amount, was included as Attachment A. The listing identified applicants potentially eligible to bid on construction permits for which they had previously filed a long form application (FCC Forms 301, 346 or 349). In preparing the FCC Form 175s necessary to participate in the Closed Broadcast Auction scheduled for September 28, 1999, applicants should use the applicant name **exactly as it appears on Attachment A** in responding to specific questions on the short-form. Inaccuracies, discrepancies, or typographical errors in Attachment A concerning the applicant's name, may be brought to the Commission's attention by submitting such corrective information in Exhibit E - Miscellaneous Information - to the Form 175.

HEARING FEE AND APPLICATION FILING FEE REFUND REQUEST REQUIREMENTS

The Commission indicated in the Broadcast First Report and Order¹ that, given the length of the comparative freeze, certain refunds were appropriate as a matter of fairness. Specifically, the Commission will refund all hearing fees paid in any frozen comparative proceeding in which the construction permit is awarded by competitive bidding. In addition, the Commission will refund the filing fees paid by any applicant electing not to participate in the auction. Refunds will be issued only upon specific request. On or before August 20, 1999, - the Form 175 filing deadline date - pending applicants may file a pleading disavowing any interest in participating in the auction, seeking the dismissal of their applications, and requesting a refund of paid fees. See 47 C.F.R. § 73.3525(c). Such pleadings should be addressed to the appropriate Division - Audio Services Division or Video Services Division. Once the dismissal of the application is final, refund requests will be processed and

¹Implementation of Section 309(j) of the Communications Act -- Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Services Licensees (MM 97-234), First Report and Order, 13 FCC Rcd 15920, 15957-8 ¶¶ 101-104 (1998), (*Broadcast First Report and Order*) *recon denied*, Memorandum Opinion and Order, FCC 99-74 (rel. Apr. 20, 1999), *modified*, Memorandum Opinion and Order, FCC 99-201 (rel. Aug. 5, 1999).

the pertinent paperwork forwarded to the Commission's Fees Section. The Commission will not refund filing fees paid by applicants who file FCC Form 175 applications, thus electing to participate in the auction.