# Form 175 and Overview of Radio Service and Auction Rules

# FM Broadcast Auction

(Auction No. 70)

Lisa Stover, Auctions Marketing Specialist, ASAD Jim Bradshaw, Deputy Chief, Audio Division Lisa Scanlan, Assistant Chief, Audio Division Lynne Milne, Attorney Advisor, ASAD

# Disclaimer

Nothing herein is intended to supersede any provision of the Commission's rules or public notices. These slides should not be used as a substitute for a prospective applicant's review of the Commission's relevant orders, rules, and public notices. Prospective applicants must familiarize themselves thoroughly and remain current with the Commission's rules relating to the FM Broadcast service, rules relating to application and auction procedures, and the procedures, terms and conditions contained in the Auction No. 70 public notices.

# Questions?

If you are viewing this presentation live over the web, please feel free to email your questions to...

# auction70@fcc.gov





### **Integrated Spectrum Auction System**

Applicant/Bidder A	Access
FRN	
Password	
LOG IN	
Public Access	
▶ <u>Auction Applications</u>	
Auction Information (select an auction)	<u>v</u> <u>GO</u>
▶ <u>ULS License Search</u>	
FCC Auctions Home	
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### Log In Information

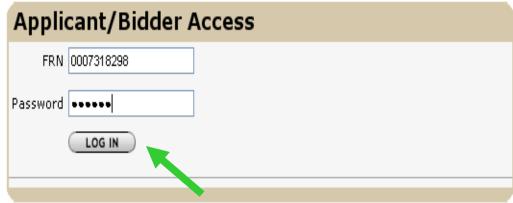
The pages you are trying to access are protected. Please type your FCC Registration Number (FRN) and its associated password.

- Forgot your Password?
  - FRN hotline information
- Need an FRN?
  Register with the FCC
- Not sure if you have an FRN?

Search the FCC Registration System database to determine if you have been assigned an FRN.



### **Integrated Spectrum Auction System**



♥ (GO)

### **Public Access**

- Auction Applications
- Auction Information (select an auction)
- ▶ ULS License Search
- ▶ FCC Auctions Home

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# Pre-Auction | File new or modify an existing auction application | | Enter Auction Application Manager | | How do I request a refund of my upfront payment? | | See Wire Transfer for Refund Purposes | | Online Bidding | | There are no auctions available.

# Post-Auction How do I make my downpayment or final payment? Making a downpayment or final payment See FCC Form 159 Where do I file my license application? See Universal Licensing System How do I request a refund of my upfront payment? See Wire Transfer for Refund Purposes



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)



### Auction Application Manager

Create or Review Auction Applications

Approved by OMB 3060-0600 (Notice to Applicants)

### Create New Application

- Auction 102 FM Broadcast -- Initial Filing Window closes 12/19/2006 6:00 PM
- Auction 164 Sample SMR Auction -- Initial Filing Window closes 5/17/2006, 3:30 PM
- Auction 250 ULS Integration Test Auction -- Initial Filing Window closes 7/27/2005, 6:00 PM

### Review or Modify Existing Applications

**Application Status Last Modified Last Submitted Auction Applicant Name** No existing applications found \$ - Upfront Payment Calculator and Form 159 🔼 - Refund Form 📝 - Edit Application 📮 - Withdraw Application 🔍 - Search

### Documentation

Auction: 3 - PCS Narrowband Region



GO



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

### Media Sample Auction

Applicant:

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary

📤 Attachments 🕒 Print Preview 🔞 Help 👚

🗵 Quit

### Applicant Information

Applicant information identifies the applicant, its responsible parties (where applicable), its auction contact party, and its bidding eligibility. The contact person will receive all auction correspondence. The applicant name will be used as the bidder name during the auction.

### Applicant Legal Classification

	Τo	determine the	applicant information	required by	v the FCC	please p	rovide v	our Lea	al Cla	ssification.
--	----	---------------	-----------------------	-------------	-----------	----------	----------	---------	--------	--------------

- Consortium
- Corporation
- General Partnership
- Individual
- Limited Liability Company
- Limited Liability Partnership
- Limited Partnership
- Trust
- Unincorporated Association

_		
	Other:	
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Description of Legal Classification

### Applicant Status (not required)

What is your status? Check all that apply.

- Minority Owned Business
- Rural Telephone Company
- Woman Owned Business

### Noncommercial Educational Election (Mandatory)

Are you a nonprofit educational organization or a municipality applying for a station eligible to be licensed as a noncommercial educational radio or television broadcast station?

- Yes
- O No

◆ BACK

CONTINUE

### Steps

### Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What if my Legal Classification is not listed?

Why is the FCC requesting an Applicant Status?

What does the Quit link do?

Which applicants should check "Yes" to Noncommercial Educational election?

Can an applicant check "yes" to the NCE election and later. de-select it?

Do I risk return of my application as unacceptable for filing if I seek a construction permit for a NCE station?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Media Sample Auction

Applicant:

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

### Summary

A legal Classification must be selected in order to proceed









🗵 Quit

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### Applicant Legal Classification

To determine the applicant information required by the FCC please provide your Legal Classification.

- Consortium
- Corporation
- General Partnership
- Individual
- Limited Liability Company
- Limited Liability Partnership
- Limited Partnership
- Trust
- Unincorporated Association

Description of Legal Classification

$\bigcirc$	Other	

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Summary

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FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Applicant:

CONTINUE >

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

### **Media Sample Auction** Print Preview 2 Help X Quit Summary Attachments **Applicant Information** Steps Applicant Information **Applicant Name** Permit Selection New Entrant Eligibility Please provide the following information. The name entered will be used as the Bidder Name during the auction. Agreements Bidder One Corporation Entity Name: Ownership Summary Jurisdiction of Formation: District of Columbia Certify & Submit

### Common Questions

When is my data saved during the data entry process?

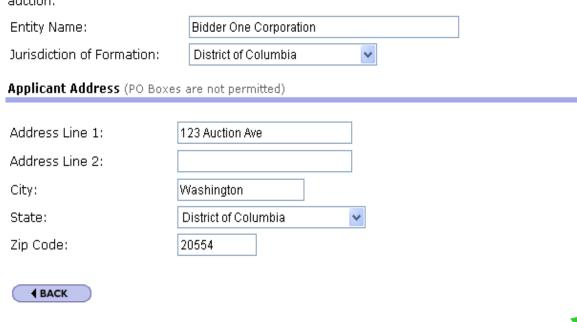
What is the difference between a warning and an error?

What is a Jurisdiction of Formation?

Why is the applicant's citizenship/jurisdiction of formation required?

Why are P.O. boxes not permitted?

What is a suffix?





FCC > Wireless > Auctions > Auction Application

Ext.

Logged In: FRN 0007318298 (Log Out)

Area

202

418 - 0000

Imma.Bidder@fcc.gov

### Auction 102

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

CONTINUE

### Media Sample Auction Summary 📤 Attachments 🕒 Print Preview 🛭 Help 🗵 Quit **Applicant Information** Steps Applicant Information **Responsible Party - Corporation** Permit Selection Identify an individual as the responsible party for the Corporation New Entrant Eligibility Suffix First Last Agreements Name: Bidder Imma Ownership Officer or Director Summary Title: President Certify & Submit

### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is a suffix?

<u>Do I have to fill in the</u>
<u>Telephone Number and Email</u>
<u>Address for our responsible</u>
<u>party?</u>

Who is considered to be a Responsible Party?

- 4	R	Δ	C	

Email Address:

Telephone Number:



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

### Media Sample Auction Summary 📤 Attachments 🕒 Print Preview 🗵 Help 🗵 Quit **Applicant Information Contact Information** Identify an official contact to receive all auction correspondence. Last Suffix First Name: Bidder Imma Area Ext. 418 - 0000 Telephone Number: 202 Area 418 - 1111 Fax Number: 202 Copy Address If same as Applicant Email Address: Imma.Bidder@fcc.gov Contact Address (PO Boxes are not permitted) COPY APPLICANT ADDRESS Address Line 1: Address Line 2: City: State: Zip Code: **◆** BACK CONTINUE >

### Steps

### Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is a suffix?

What is the contact information used for?

Our official contact would rather communicate via phone or fax. Do I need to enter their email address?

Why are P.O. boxes not permitted?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

**◆** BACK

Applicant: Bidder One Corporation Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

CONTINUE

Media Sample Auct	<b>I</b> Summary	<b>≜</b> Attachm	
Applicant Info		O Samma.	
Identify an official cont	act to receive all auction correspondence.		
Name:	First MI Last Suffix Imma Bidder		
Telephone Number:	Area Ext. 202 418 - 0000		
Fax Number:	Area 202 418 - 1111		
Email Address:	Imma.Bidder@fcc.gov		
Contact Address (PO B			
Address Line 1:	123 Auction Ave		
Address Line 2:			
City:	Washington		<b>.</b>
State:	District of Columbia		
Zip Code:	20554		-

### Steps

### Applicant Information

Print Preview P Help Quit

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

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FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

### Auction 102

Media Sample Auction

Summary









### **Applicant Information**

### **Authorized Bidders**

Identify at least one but no more than three authorized bidders. Only individuals listed here will be authorized to bid on behalf of the applicant. The authorized bidders may be changed during the auction.

	First	MI	Last	Suffix
1.	Imma		Bidder	
2.	Shesa		Bidder	
3.	Hesa		Bidder	

### Telephonic or Electronic Bidding Options

Qualified bidders are permitted to bid electronically or telephonically. Select the option you anticipate using as your primary means of placing bids in the auction.

Electronic

Telephonic

CONTINUE

### Steps

### Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

**◆ BACK**

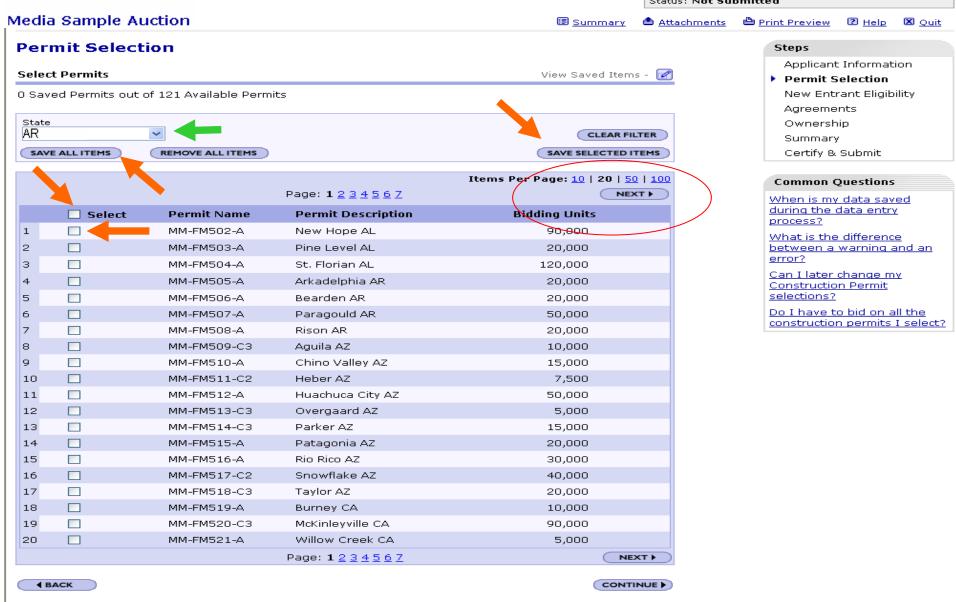


FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Applicant: Bidder One Corporation
Initial Filing Closes: 12/19/2006 6:00 PM (ET)
Status: Not Submitted





FCC > Wireless > Auctions > Auction Application

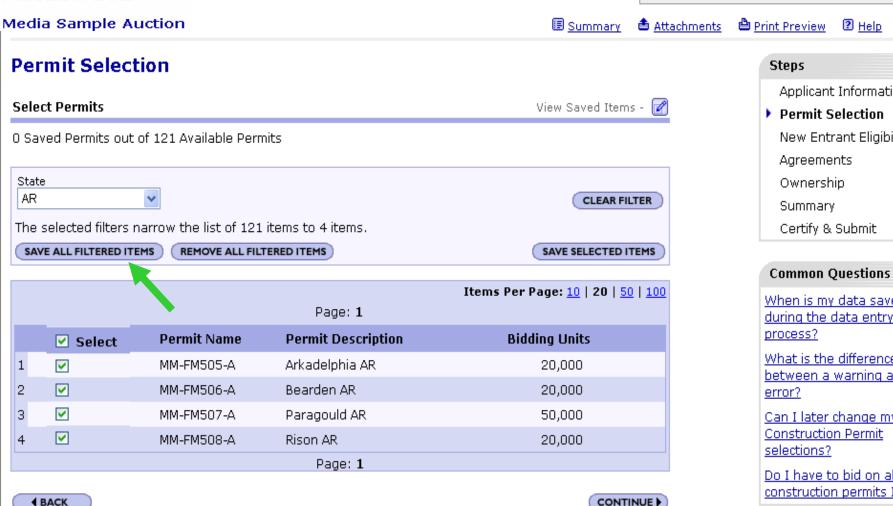
Logged In: FRN 0007318298 (Log Out)

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Auction 102



Applicant Information

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### Permit Selection

New Entrant Eligibility

### **Common Questions**

When is my data saved during the data entry

What is the difference between a warning and an

Can I later change my Construction Permit

Do I have to bid on all the construction permits I select?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

**B** Summary

Change Item Selection - 📝

Items Per Page: <u>10</u> | 20 | <u>50</u> | <u>100</u>

Attachments

Print Preview P Help Quit

### Permit Selection

### View/Edit Saved Permits

4 Saved Permits out of 121 Available Permits



			Page: 1		
	Permit Name	Permit Description	Bidding Units	Latitude	Longitude Edit
1	MM-FM505-A	Arkadelphia AR	20,000	34° 7′ 10.0″ N	93° 10' 43.0" W 📝
2	MM-FM506-A	Bearden AR	20,000	33° 43′ 24.0″ N	92° 36' 54.0" W 📝
3	MM-FM507-A	Paragould AR	50,000	36° 6′ 55.0″ N	90° 26' 53.0" W 📝
4	MM-FM508-A	Rison AR	20,000	33° 56′ 30.0″ N	92° 12' 13.0" W 📝
			Page: 1		

CONTINUE

### Steps

Applicant Information

### Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

May an applicant modify the FM allotment reference coordinates?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

### Auction 102

Media Sample Auction

Summary







### Permit Selection

**Change Coordinates** 

You have opted to specify preferred site coordinates which differ from the allotment reference coordinates for construction permit MM-FM507-A. The preferred site coordinates represent the intended location for your FM facility should you become the winning bidder for construction permit MM-FM507-A. Any preferred site coordinates that are submitted in your Form 175 will be protected from subsequently filed applications.

Applicants should be aware that a post-auction long form application filed for a preferred site will not be authorized unless (1) the preferred site meets the pertinent minimum distance separation requirements with respect to all other authorized FM allotments and assignments and (2) the FM facility constructed at the site would provide a minimum field strength of 70dBu over the entire principal community to be served. See 47 C.F.R. SS 73,207, 73,213, 73,215 and 73,315. Use the following form to specify your preferred site coordinates.

### Permit Coordinates (NAD 27)

### MM-FM507-A

Paragould AR

Allotment Coordinates: Latitude: 36° 6' 55.0" N Lonaitude: 90° 26' 53.0" W Preferred Coordinates: Latitude: 36° 6′ 55.0" N Longitude: 90° 26' 53.0" W

### Change Coordinates (NAD 27)

Latitude: 0 6 55.0 N (+) 🔻 Longitude: 90 0 26 53.0 W (-) V

VIEW SELECTED LICENSES

### Steps

Applicant Information

### Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### Common Ouestions

When is my data saved during the data entry process?

What is the difference between a warning and an

error?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

### Auction 102

Media Sample Auction

Summary





Steps



Applicant Information

New Entrant Eligibility

Permit Selection

Agreements

Ownership

Summary



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When is my data saved during the data entry process?

Common Ouestions

Certify & Submit

What is the difference between a warning and an error?

### Change Coordinates (NAD 27)

Latitude: 0 6 53.0 N (+) 🔻 Longitude: 90 0 26 51.0 W (-) V



VIEW SELECTED LICENSES



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary

Change Item Selection - 📝

Attachments

A Print Preview 2 Help X Quit

### **Permit Selection**

### **View/Edit Saved Permits**

4 Saved Permits out of 121 Available Permits



	Items Per Page: <u>10</u>   20   <u>50</u>   <u>100</u>							
			Page: 1					
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4	MM-FM508-A	Rison AR	20,800	33° 56′ 30.0″ N	92° 12' 13.0" W 🔗			
			Page: 1					

CONTINUE

### Steps

Applicant Information

### Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### **Common Questions**

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What is the difference between a warning and an error?

May an applicant modify the FM allotment reference coordinates?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary

Attachments

🖴 Print Preview 🛮 🛭 Help

🗵 Quit

### **New Entrant Eligibility**

### New Entrant Eligibility

This is the sole opportunity to apply for a New Entrant bidding credit. Only one bidding credit level may be selected. There is no opportunity to apply or modify this information after the Initial Filing Window.

- Not seeking the New Entrant bidding credit
- Seeking New Entrant bidding credit 35% To obtain a 35 percent New Entrant bidding credit, the applicant, or any individual or entity with an attributable interest in the applicant, may not have an attributable interest in any other media of mass communications.
- O Seeking New Entrant bidding credit 25% To obtain a 25 percent New Entrant bidding credit, the applicant, or any individual or entity with an attributable interest in the applicant, may not have an attributable interest in more than three mass media facilities.

**◆** BACK



### Steps

Applicant Information Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How does an applicant qualify for a 35% new entrant bidding credit?

How does an applicant qualify for a 25% new entrant bidding credit?

How are attributable interests defined?

What is considered a medium of mass communications?

Is a low power television (LPTV) station, a television translator station, or a FM translator station considered a medium of mass communications?

Can my New Entrant Bidding Credit eligibility increase or decrease before the auction?

# New Entrant Bidding Credit

- Unique to broadcast auctions
- Will be offered in FM Auction No. 70

# History

- Adopted August 6, 1998 in *Broadcast First Report and Order* (FCC 98-194) 13 FCC Rcd 15920 (1998)
  - Fulfills 309(j) obligation
  - promotes ownership diversification
- Refined on reconsideration in April 15, 1999 *Memorandum Opinion and Order* (FCC 99-74) 14 FCC
  Rcd 8724 (1999)
- Applied debt/equity attribution provisions in second Memorandum Opinion and Order August 4, 1999 (FCC 99-201) 14 FCC Rcd 12541 (1999)
- Governed by the broadcast attribution rules

# Mechanics

- Bidding Credit: a percentage discount applied to high bid amount if bidder meets designated entity criteria established in broadcast auction rules
- Two tiers: 25% and 35%
- Apply on Form 175 New Entrant Eligibility page
- No opportunity to apply after initial filing window deadline

## Rules

- ¶ 47 C.F.R. Section 73.5007 Designated Entity Provisions
- ¶ 47 C.F.R. Section 73.5008 Definitions
- Applies general broadcast attribution provisions of rule 47 C.F.R. Section 73.3555, note 2

# Eligibility

- Whose other media interests are counted in establishing eligibility?
- We consider other media interests held by winning bidder, and by any entity or individual with *attributable interest* in winning bidder
- 35% no attributable interest in any other media of mass communication
- 25% attributable interest in no more than 3 existing mass media facilities
- Existing interests may not be in "same area" as a proposed facility

# Eligibility

- "same area" existing facility in "same area" as proposed if relevant defined service area of existing facility partially overlaps, or is partially overlapped by, proposed facility's relevant contour
  - relevant contours defined in 73.5007
- What media interests are counted?
- 73.5008 defines a "medium of mass communications": daily newspaper; cable television system; license or construction permit for television, AM or FM broadcast station; direct broadcast satellite transponder; or multipoint distribution service station

# Eligibility

- *Which* interests are counted?
- Attributable interest determined in accordance with 47 C.F.R. Section 73.3555 and note 2
- Interests held by winning bidder in LPTV, TV translator, or FM translator facilities not counted as mass media interests in determining eligibility
- Full service noncommercial educational stations, on both reserved and nonreserved channels, are included as mass media interests. *Minnesota Christian Broadcasters, Inc.*, 18 FCC Rcd 614 (2003)

12/6/2006

# Unjust enrichment

- If permittee used bidding credit and seeks to assign or transfer control to entity not meeting eligibility criteria
- Must reimburse Government for bidding credit amount plus interest
- Condition of Commission approval of assignment or transfer
- 5 year reimbursement period
  - within first 2 years: 100%
  - year 3: 75%
  - year 4: 50%

12/6/2006 year 5: 25%. No reimbursement thereafter



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006; 6:00 PM (ET)

Status: Not Submitted

Summary

Attachments

🖴 Print Preview 🛮 🛭 Help

🗵 Quit

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**◆** BACK

CONTINUE



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Applicant Information Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

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FCC > Wireless > Auctions > Auction Application

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Media Sample Auction

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Edit - 📝

CONTINUE >







### New Entrant Eligibility

View/Edit All Facilities

### New Entrant Eligibility

You have selected a 25 percent New Entrant Bidding Credit. Applicants seeking a 25 percent New Entrant Bidding Credit must list the existing mass media facilities in which the attributable interest is held. Modify bidding credit selection.

You currently have not listed any mass media facilities.

### CREATE NEW MASS MEDIA FACILITY



### Steps

Applicant Information Permit Selection

### New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How do I list my existing Mass Media Facility information?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary

📤 Attachments 🗎 Print Preview 🛭 Help 🗵 Quit

### **New Entrant Eligibility**

Edit Mass Media Facility 1

To obtain a 25 percent New Entrant bidding credit, the applicant, or any individual or entity with an attributable interest in the applicant, may not have an attributable interest in more than three mass media facilities.

The new entrant bidding credit is not available to a winning bidder if it, or any individual or entity with an attributable interest in the winning bidder, have an attributable interest in any existing media of mass communications in the "same area" as the proposed broadcast facility.

### **Identify Mass Media Facility**

Identify and/or describe (1) the existing mass media facility in which the attributable interest is held (2) the individual or entity with the attributable interest (3) the attributable interest in the existing mass media facility and (4) whether any of the proposed broadcast facilities are in the "same area" as existing mass media facilities.

Identify up to three Mass Media Facilities:

### Mass Media Facility 1

1. Existing mass media facility in which attributable interest held:

		Facility ID	Call Sign		Name (	of Communicat	ions Mediur	m
		67132	WGET	0	r			
	City:	Gettysburg						
	State:	AR		•	~			
2.	Individual or entity with	attributable	interest:					
	Entity:							
	<u> </u>	First		MI	Last		Suffix	
	Name:	Imma			Bidder			
3.	Describe attributable in	terest in this	existing (	mass me	edia facil	lity:		
		owner						

- 4. Indicate whether any of the proposed broadcast facilities are in the "same area" as this existing mass media facility.
  - Proposed facilities in "same area" as this existing mass media facility.
  - Proposed facilities not in "same area" as this existing mass media facility.

### Steps

Applicant Information Permit Selection

New Entrant Eligibility

Aareements

Ownership

Summary

Certify & Submit

### Common Ouestions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

When is an existing media of mass communications considered in the "same area" as a proposed broadcast facility?

Where are the relevant defined service areas of existing mass media facilities defined?

Where are the relevant contours of proposed broadcast facilities defined?

VIEW/EDIT ALL FACILITIES



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary









### New Entrant Eligibility

Add Proposed "Same Area" Facilities

### Existing Mass Media Facility 1

### Add Proposed Facility in "Same Area" as Existing Mass M

Indicate the broadcast facilities proposed in this auction (e. allotment or proposal name) that are in the "same area" as ineligible for the new entrant bidding credit. Permits must b

Permit Name

If additional proposed facilities click here

on number of proposed FM a facility 1 for which applicant is Impleting this step.

Proposed Broadcast Facility:

ADD MORE PROPOSED FACILITIES IN THE "SAME AREA"

FINISH THIS MASS MEDIA FACILITY

### Steps

Applicant Information

Permit Selection

### New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

### Auction 102

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

### Media Sample Auction

Summary

Attachments

🖴 Print Preview

2 Help

🗵 Ouit

### New Entrant Eligibility

View/Edit All Facilities

### New Entrant Eligibility

Edit -You have selected a 25 percent New Entrant Bidding Credit, Applicants seeking a 25 percent New Entrant Bidding Credit must list the existing mass media facilities in which the attributable interest is held. Modify bidding credit selection.

Existing Mass Media Facility information must be provided by clicking the Create New Mass Media Facility button. You will need to repeat this process for each existing Mass Media facility.

You currently have listed 1 existing Mass Media Facility



### Steps

Applicant Information Permit Selection

### New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How do I list my existing Mass Media Facility information?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

### Auction 102

### Media Sample Auction











### Agreements

### Agreements with Other Parties and Joint Bidding Arrangements

Has the applicant entered into partnerships, joint ventures, consortia or other agreements, arrangements or understandings of any kind relating to the licenses being auctioned, including any such agreements relating to the post-auction market structure?

Yes No.



◆ BACK



### Steps

Applicant Information

Permit Selection

New Entrant Eligibility

### Agreements

Ownership

Summary

Certify & Submit

### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is the specific rule governing agreements, arrangements, and the like?

# Agreements with Other Parties and Joint Bidding Arrangements

- Anti-Collusion Rule: Unless properly disclosed, communications concerning bids, bidding strategies, or settlement agreements (including post-auction market structures) are prohibited among applicants that bid for licenses in any of the same or overlapping geographic areas (Section 1.2105(c)).
- To be in compliance, applicants must certify under penalty of perjury that they have not entered and will not enter into any explicit or implicit agreements, arrangements or understandings of any kind with any parties other than those they have identified regarding the amount of their bids, bidding strategies or particular licenses on which they will or will not bid.

# Agreements with Other Parties and Joint Bidding Arrangements Continued

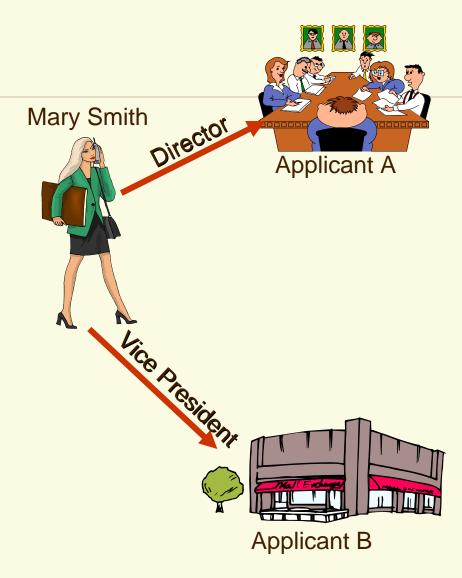
- Prohibition period is between the short-form deadline December 19, 2006 at 6:00 p.m. and the down payment deadline which will be specified in a future public notice. (Section 1.2105(a)(2)(iv)).
- The rule prohibits an auction applicant from discussing a competing applicant's bids or bidding strategies even if the first applicant does not discuss its own bids or bidding strategies.
- The rule requires auction applicants that make or receive a prohibited communication of bids or bidding strategies to report the communication immediately to the Commission in writing.

# Agreements with Other Parties and Joint Bidding Arrangements Continued

Applicants must identify all parties with whom they have entered into agreements of any kind relating to the licenses being auctioned, including post-auction market structure. (Section 1.2105(a)(2)(viii)). Any applicant that submits an auction application to participate in Auction No. 70 regardless of whether an upfront payment is submitted or a bid is made, remains subject to the Commission's anti-collusion rule until the post-auction down payment deadline.

For the anti-collusion rule, "applicant" includes controlling interests, ownership interests, and officers and directors. (Section 1.2110)

12/6/2006





FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

# Auction 102

# Media Sample Auction







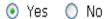




# Agreements

# Agreements with Other Parties and Joint Bidding Arrangements

Has the applicant entered into partnerships, joint ventures, consortia or other agreements, arrangements or understandings of any kind relating to the licenses being auctioned, including any such agreements relating to the post-auction market structure?



◆ BACK



# Steps

Applicant Information

Permit Selection

New Entrant Eligibility

# Agreements

Ownership

Summary

Certify & Submit

# **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is the specific rule governing agreements, arrangements, and the like?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

**Add Parties** 

CONIC

**◆** BACK

Entity Name:

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/20066:00 PM (ET)

Status: Not Submitted

#### Media Sample Auction Summary 📤 Attachments 🗎 Print Preview 🗵 Help 🗵 Quit Agreements Steps Applicant Information **Create New Agreement** Permit Selection Identify all parties with whom Applicant has entered into partnerships, joint ventures, consortia or other

System allows

for more than 3 parties

to be

entered

ADD MORE PARTIES

Suffix

agreements, arrangements or understandings of any kind relating to the licenses being auctioned, including any such agreements relating to the post-auction market structure. Provide an identifying name for your agreement.

Agreement Identifier: Agreement 1

Add up to three I	parties below.	You may ac	dd more p	arties later.

Party to Agreement		

Entity Name:	Bidder Two Corporation		
FRN:	000999999	(Search FRN)	
O = 10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	First	MI Last	Suffix
Individual Name:			

Individual Name:		

FRN:	(Search FRN)

Party to Agreement	
Entity Name:	

FRN:		(Search FRN)
<u> </u>	First	MI_Last
Individual Name:	Dist	O 141.

h FRN)

FRN:		(Search FRN
	First	MI Last

Individual Name:		
FRN:	(Sea	arch FRN

RESET

RESET

RESET
FINISH THIS AGREEMENT

New Entrant Eligibility

## Agreements

Ownership Summary Certify & Submit

#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

Do I have to provide an FCC Registration Number (FRN) for my agreement party?

What does the Search FRN link do?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

# Auction 102

# Media Sample Auction





🕨 Edit - 📝





🗷 Quit

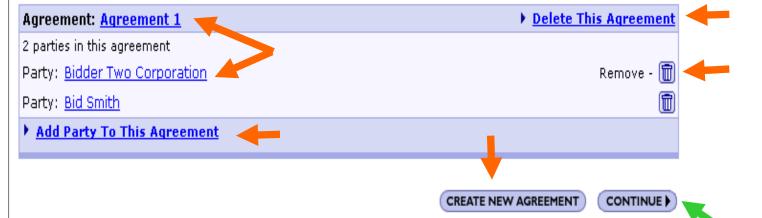
# Agreements

View/Edit Agreements

# Agreements with Other Parties and Joint Bidding Arrangements

Agreements? Yes

You currently have 1 agreement



# Steps

Applicant Information

Permit Selection

New Entrant Eligibility

# Agreements

Ownership

Summary

Certify & Submit

# **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

## Auction 102

Media Sample Auction

Status: Not Submitted

Media Sample Auction

Status: Not Submitted

Print Preview 2 Help 2 Quit

# Ownership

Add Ownership Disclosure Information

## **Add Ownership Disclosure Information**

Select from the following options.

ADD DISCLOSABLE INTEREST HOLDER

ADD FCC REGULATED BUSINESS

**Upload Ownership Disclosure Information** 

UPLOAD OWNERSHIP INFORMATION

**◆** BACK

CONTINUE

## Steps

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Applicant: Bidder One Corporation

Applicant Information Permit Selection New Entrant Eligibility

## Ownership

Agreements

Summary

Certify & Submit

## **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How do I enter an Officer and a member of the applicant's Board of Directors?

What is a Disclosable Interest Holder (DIH)?

What is an FCC Regulated Business (FRB)?

If the applicant is an individual, does the individual need to submit information using the "Disclosable Interest Holder" screen?

I want to upload the applicant's ownership disclosure information. What is the format of the upload file?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

**◆** BACK

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted





CONTINUE







меата	i Sample Aud	tion   Summary	<u>Attachments</u>	Print Previ
	ership			Steps
Add D	isclosable Inter	est Holder		Appli
Disclos	sable Interest Hold	er Name and Type		Perm
Select	either Entity <b>OR</b> Ind	ividual.		New .
				Agre
•	Entity Name:	DIH Company		• Own
		Other Description		Sumr
	Entity Type:	Corporation		Certi
	FRN:	987654321 (Search FRN)		
		First MI Last Suffix		Comm
0	Individual Name:	THIS CONTRACTOR OF THE CASE OF		When is
	FRN:			during t
	113010	(Search FRN)		nrocess

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Entrant Eligibility

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fy & Submit

# on Questions

s my data saved the data entry process?

What is the difference between a warning and an error?

What is a Disclosable Interest Holder (DIH)?

Is the FRN required?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# **Auction 102**

**Media Sample Auction** 

Ownership

Address:

Add Disclosable Interest Holder: DIH Company

Disclosable Interest Holder Address

▶ Click here if address is located outside the US.

City: Washington

321 Somewhere Ave

State: District of Columbia

Zip Code: |20554|

Link for Address

outside the U.S.

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Frincerev

Print Preview 2 Help

🗷 Quit

Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

**Common Questions** 

When is my data saved during the data entry process?

What is the difference between a warning and an error?

**◆** BACK





FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# **Auction 102**

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary









# Ownership

Add Disclosable Interest Holder: DIH Company

## Type of Interest in Applicant

Check all that apply.

- ✓ Direct Ownership Interest in Applicant
- Indirect Ownership Interest in Applicant
- ☐ Officer
- Director
- Key Management Personnel
- Management Contract
- Other (specify)

		^
		V



## Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

## Ownership

Summary

Certify & Submit

# **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How do I describe disclosable interest holders who have an indirect ownership in my company?

**◆** BACK



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006; 6:00 PM (ET)

Status: Not Submitted

# **Media Sample Auction** Summary Print Preview 2 Help 🗷 Quit Attachments Ownership Steps Add Disclosable Interest Holder: DIH Company Applicant Information Permit Selection Type of Ownership Interest in Applicant New Entrant Eligibility Check all that apply. Agreements Common Stock (specify) Ownership Summary Certify & Submit General Partnership Shares (specify) **Common Questions** Limited Partnership Shares (specify) When is my data saved during the data entry process? Membership Shares What is the difference Option to Acquire Equity between a warning and an error? Proprietorship Preferred Stock (specify both voting and convertible types) Warrant Other (specify) **◀** BACK CONTINUE

Logged In: FRN 0007318298 (Log Out)

# Auction 102

# Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/20066:00 PM (ET)

Status: Not Submitted











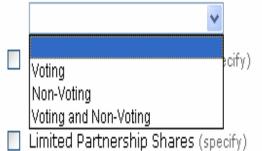
# Ownership

Add Disclosable Interest Holder: DIH Company

# Type of Ownership Interest in Applicant

Check all that apply.

Common Stock (specify)





- Option to Acquire Equity
- Proprietorship

# Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

# **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# **Auction 102**

**◀** BACK

Applicant: Bidder One Corporation
Initial Filing Closes: 12/19/2006 6:00 PM (ET)

## Status: Not Submitted **Media Sample Auction** Summary Print Preview 2 Help 🗷 Quit Attachments Ownership Steps Add Disclosable Interest Holder: DIH Company Applicant Information Permit Selection Type of Ownership Interest in Applicant New Entrant Eligibility Check all that apply. Agreements ✓ Common Stock (specify) Ownership Voting Summary Certify & Submit General Partnership Shares (specify) **Common Questions** Limited Partnership Shares (specify) When is my data saved during the data entry process? Membership Shares What is the difference Option to Acquire Equity between a warning and an error? Proprietorship Preferred Stock (specify both voting and convertible types) Warrant Other (specify)

CONTINUE



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted



Link if jurisdiction outside U.S.









# Ownership

Add Disclosable Interest Holder: DIH Company

## Percent of Interest Held in Applicant

30 %

## **Jurisdiction of Formation**

Click here if DIH was formed in a jurisdiction outside the US.

Jurisdiction of Formation: District of Columbia





Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

## **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is a Jurisdiction of Formation?

What certification should I provide for foreign ownership?

What should the "Percent of Interest Held in Applicant" reflect?

**◆** BACK







FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Media Sample Auction

Summary

📤 Attachments 🕒 Print Preview 🔞 Help 🗵 Quit

# Ownership

View/Edit Ownership Disclosure Information

## **Applicant Summary**

- Add Disclosable Interest Holder to Applicant
- ▶ Add FCC Regulated Business to Applicant
- Upload Applicant Ownership Disclosure Information

DIH information
previously
entered displays

# Disclosable Interest Holders of this Applicant

You currently have specified 1 Disclosable Interest Hold

Disclosable Interest Holder: DIH Company

You currently have specified 0 FCC Regulated Businesses held by this Disclosable Interest Holder

▶ Add FCC Regulated Business to this Disclosable Interest Holder



## Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

## Ownership

Summary

Certify & Submit

## Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

DELETE SELECTED

▶ <u>Top</u>

CONTINUE



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary

Attachments

Print Preview 2 Help X Quit

# Ownership

Add FCC Regulated Business

## **FCC Regulated Business**

Identify business(es) in which the Applicant has an interest. You may select business(es) already submitted or begin entering the information below.

FCC Regulated Business	Principal Business	FRN	Percent of Interest Held
FRB Corporation	Telecommunications	234567890	20 %
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
1		(Search FRN)	

#### Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

## Ownership

Summary

Certify & Submit

## **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What does the Search FRN link do?

What is an FCC Regulated Business (FRB)?

Is the FRN required?

What does "Percent of Interest Held" refer to?

**◆** BACK

ADD MORE BUSINESSES

CONTINUE



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006; 6:00 PM (ET)

Status: Not Submitted

Media Sample Auction

Summary

📤 Attachments 🕒 Print Preview 🔹 Help 🗵 Quit

## Ownership

View/Edit Ownership Disclosure Information

#### **Applicant Summary**

- ▶ Add Disclosable Interest Holder to Applicant
- Add FCC Regulated Business to Applicant
- ▶ <u>Upload Applicant Ownership Disclosure Information</u>
- View all FCC Regulated Businesses of the Applicant

## Disclosable Interest Holders of this Applicant

You currently have specified 1 Disclosable Interest Holder(s)

■ Disclosable Interest Holder: DIH Company

You currently have specified 0 FCC Regulated Businesses held by this Disclosable Interest Holder

▶ Add FCC Regulated Business to this Disclosable Interest Holder information previously entered displays

DELETE SELECTED

▶ Top

FCC Regulated Businesses of this Applicant

You currently have specified 1 FCC Regulated Busin

FCC Regulated Business: FRB Corporation

DELETE SELECTED

▶ Top

CONTINUE

#### Steps

Applicant Information Permit Selection New Entrant Eligibility Agreements

Ownership

Summary

Certify & Submit

#### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Submitted

## Media Sample Auction

Summary

Attachments Print Preview Phelp Quit

## Ownership

## Detail for Disclosable Interest Holder: DIH Corporation

You have submitted the following information for Disclosable Interest Holder DIH Corporation, Please review and edit the information as necessary. Once you are confident that the information is correct, click the View/Edit button below to view a complete summary of your Ownership Disclosure information.

#### Disclosable Interest Holder Name and Type

Disclosable Interest Holder Name: DIH Corporation

Disclosable Interest Holder Type: **Entity** Entity Type:

FRN:

## Corporation

## Disclosable Interest Holder Address

Address Line 1: 321 Somewhere Ave

Address Line 2:

City: Washington

State: DC Zip Code: 20554

#### Type of Interest in Applicant

**Direct Ownership Interest in Applicant** 

Type of Ownership Interest in Applicant

Common Stock: Voting

# Disclosable Interest Held in Applicant

Percent of Interest Held in Applicant: 30.00 %

Jurisdiction of Formation: **District of Columbia** 

## Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

#### Ownership

Summary

Certify & Submit

#### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?













FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary

📤 Attachments 🕒 Print Preview 🗵 Help 🗵 Quit

# Summary

# Summary Overview

Choose a step listed below to review your provided information.

Applicant Information

VIEW/EDIT

Permit Selection

VIEW/EDIT

New Entrant Eligibility

VIEW/EDIT

Agreements

VIEW/EDIT

Ownership

VIEW/EDIT

CHECK ERRORS

Once you are confident that the applica-Certify" button below.

**◆** BACK

certifying and submitting and submission, click on the "Continue To

CONTINUE TO CERTIFY

# Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

# Summary

Certify & Submit

# **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What does the Check Errors button do?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 08/112/19/2006 PM (ET)

Status: Not Submitted

Summary









# Certify & Submit

## Former Default, Delinquency Statement

By indicating which statement applies and by submitting the application, applicants make the applicable statement under penalty and perjury. An applicant making the second statement must submit an upfront payment equal to 50 percent more than otherwise would be required.

- The applicant, its affiliates, its controlling interests, and the affiliates of its controlling interests (as those parties are defined by the Commission's rules) have never been in default on any Commission license and have never been delinquent on any non-tax debt owed to any Federal agency.
- One or more of the applicant, its affiliates, its controlling interests, or the affiliates of its controlling interests (as those parties are defined by the Commission's rules) have been in default on a Commission license or have been delinquent on a non-tax debt owed to a Federal agency.

◆ BACK



## Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

## Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

Why must one of the options be selected?

What if I don't know which of the two options is correct?

What if there is no former default or delinquency, but there is a current default or delinauency?

What is an Affiliate?



- Applicants must certify whether they are currently in default on any Commission license and currently delinquent on any non-tax debt owed to any Federal agency in order to be eligible to participate in the auction. For these purposes, "applicant" includes the applicant's controlling interests and affiliates (of both the applicant and controlling interests).
- Applicants are well advised to resolve any concerns regarding outstanding "red lights" for any relevant party prior to filing the Form 175. An applicant will be able to submit Form 175 to the Commission, notwithstanding a "red light" but the application may not be "accepted" at a later stage.
- Finally, applicants should remember that the "red light" database concerns only current delinquencies with the Commission. Auction rules are concerned with both current and former delinquencies on non-tax debt owed to any Federal agency. See 47 C.F.R. Section 1.2105(a)(2)(x) and (xi). Applicants should not rely on a "green light" as a guarantee that they have no concerns regarding delinquencies, current or former, on non-tax debt owed to any Federal agency.



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

Summary

Attachments

🖴 Print Preview 🛭 Help 🗵 Ouit

# Certify & Submit

## Former Default, Delinguency Statement

By indicating which statement applies and by submitting the application, applicants make the applicable statement under penalty and perjury. An applicant making the second statement must submit an upfront payment equal to 50 percent more than otherwise would be required.

- The applicant, its affiliates, its controlling interests, and the affiliates of its controlling interests (as those parties are defined by the Commission's rules) have never been in default on any Commission license and have never been delinquent on any non-tax debt owed to any Federal agency.
- One or more of the applicant, its affiliates, its controlling interests, or the affiliates of its controlling interests (as those parties are defined by the Commission's rules) have been in default on a Commission license or have been delinquent on a non-tax debt owed to a Federal agency.

■ BACK

CONTINUE >

## Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

## Common Ouestions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

Why must one of the options be selected?

What if I don't know which of the two options is correct?

What if there is no former default or delinquency, but there is a current default or delinauency?

What is an Affiliate?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Applicant: Bidder One Corporation Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Not Submitted

## Media Sample Auction

Summary

Attachments

🖴 Print Preview 🛮 🛭 Help

🗷 Quit

## **Certify & Submit**

### **Certify Auction Application**

By clicking the "Submit" button below, I certify the following:

(1) that the applicant is legally, technically, financially, and otherwise qualified pursuant to 308(b) of the Communications Act and the Commission's Rules and is in compliance with the foreign ownership provisions contained in Section 310 of the Communications Act.

(2) that the applicant is the real party in interest in this application and that there are no agreements or understandings other than those specified in this application, which provide that someone other than the applicant shall have an interest in the permit.

(3) that the applicant is aware that, if upon Commission inspection, this application is shown to be defective, the application may be dismissed without further consideration, and certain fees forfeited. Other penalties may also apply.

(4) except as explicitly provided in the Commission's Rules, that the applicant has not entered into and will not enter into any explicit or implicit agreements or understandings of any kind with parties not identified in this application regarding the amount to be bid, bidding strategies or the particular permit on which the applicant or other parties will or will not bid.

(5) that the applicant, or any party to this application, is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(6) that if a bidding credit eligibility is claimed, the applicant is eligible for any special provisions set forth in the Commission's Rules applicable to this auction and consents to audits, as set forth in the Commission's Rules, to verify such status.

(7) that the applicant is and will, during the pendency of its application(s), remain in compliance with any service specific qualifications applicable to the permits on which the applicant intends to bid including, but not limited to, financial qualifications.

(8) that the applicant is not in default on any payment for Commission permits and that it is not delinquent on any non-tax debt owed to any federal agency.

I declare, under penalties of perjury, that I am an authorized representative of the above named applicant for the permit and/or permits specified above, that I have read the instructions and the foregoing certification and all matters and things stated in this application, its schedules and attachments, including exhibits, are true and correct.

#### Signature

Suffix First MI Last Person Certifying: Imma Bidder Imma Bidder Signature:

Title:

President



#### **◆** BACK

SUBMIT

#### Steps

Applicant Information Permit Selection New Entrant Eligibility Agreements Ownership Summary

### Certify & Submit

#### **Common Ouestions**

What if I certify and any of the certifications are false?

When is my data saved during the data entry process?

What is the difference between a warning and an error?

Is it necessary to read all of these certifications?

Who is authorized to certify?

After I fill out my application electronically, is it automatically submitted to the FCC?

Can I change information after I submit Form 175?

Can I change information after I submit Form 175?

After I submit my Form 175 once, are any later changes. automatically submitted to the FCC?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

# Auction 102

Media Sample Auction

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Submitted

Summary

📤 Attachments 🕒 Print Preview 🛭 Help 🗵 Quit

# **Certify & Submit**

## **Auction Application Submit Confirmation**

Your Auction Application has been received on 7/21/2005 at 1:29 PM. Your file number is 0001681431. Please print your application for your records

**AUCTION APPLICATION MANAGER** 

- ▶ <u>Upfront Payment Calculator/Form 159</u>
- Wire Transfer for Refund Purposes

## Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

## **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is Form 159 and how do I fill it out?

How can I get a copy of the information I submitted?

Must I ao to the Upfront Calculator and Form 159 immediately?

Do I have to submit an upfront payment to cover all the construction permits I selected on my Form 175?

How will I know the status of my Form 175?

When can I see the Form 175 of other applicants for the auction?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0010845105 (Log Out)

# **Auction 102**

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Submitted

# 📤 Attachments 🕒 Print Preview 🗵 Help Media Sample Auction Summary **Attachments** Add Attachment Type: Other File: C:\Desktop\test attachment.doc Browse... Description: Revenue Justification \* An Attachment may not be greater than 10MB. RETURN TO APPLICATION ADD ATTACHMENT **Current Attachments** Description **Upload Date** Type

## Steps

Applicant Information

🗵 Ouit

License Selection

Agreements

Ownership

Summary

Certify & Submit

# **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What attachments are required?

What are the "Types" of Attachments?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0010845105 (Log Out)

# **Auction 102**

# Media Sample Auction

**Attachments** 



# ✓ The attachment was uploaded successfully.

## Add Attachment

Type:

Description:

File:

\* An Attachment may not be greater than 10MB.

## RETURN TO APPLICATION

ADD ATTACHMENT

<b>Current Atta</b>	Current Attachments					
Type	Description	Upload Date				
Other	Revenue Justification (Not Yet Converted)	4/13/2006, 12:36 PM	Remove - 🛅			

Browse...

## Steps

Applicant Information

License Selection

Agreements

Ownership

Summary

Certify & Submit

# **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What attachments are required?

What are the "Types" of Attachments?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)

Auction 102

Applicant: Bidder One Corporation

Initial Filing Closes: 12/19/2006 6:00 PM (ET)

Status: Submitted

Media Sample Auction

Summary

Attachments

Print Preview 2 Help

🗵 Quit

# **Print Preview**

# **Print Application**

Print the data you have added to the Auction Application by selecting from the list below. Click "Continue" to open a printable page.

- Applicant Information
- Permit Selection
- New Entrant Eligibility
- Agreements
- Ownership
- Certify & Submit
- Attachment List

SELECT ALL

◆ BACK



## **Print Attachments**

Click on a link below to open a PDF to print.

[No attachments found]

# Steps

Applicant Information

Permit Selection

New Entrant Eligibility

Agreements

Ownership

Summary

Certify & Submit

File Number:
Status:
Date Received:

0001681431 Submitted 7/21/2005, 1:29 PM

# **Applicant Information**

## **Applicant Name**

Entity Name: Jurisdiction of Formation: Bidder One Corporation DC

## **Applicant Legal Classification and Status**

Legal Classification: Applicant Status:

Noncommercial Educational Election:

Corporation

No

#### **Applicant Address**

Address Line 1: Address Line 2:

City: State:

Zip Code:

123 Auction Ave

Washington DC

20554

Responsible Party

Name:

Title: Telephone Number : Email Address: Imma Bidder President

(202) 418-0000 Imma.Bidder@fcc.gov

#### **Contact Information**

Name: Telephone Number: Fax Number: Email Address: Address Line 1: Address Line 2: Imma Bidder (202) 418-0000 (202) 418-1111 Imma.Bidder@fcc.gov 123 Auction Ave

City: State: Zip Code:

Washington DC

20554

#### **Authorized Bidders**

Bidder 1: Bidder 2: Bidder 3: Bidding Option: Imma Bidder Shesa Bidder Hesa Bidder Electronic

FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0007318298 (Log Out)



# **Auction Application Manager**

**Create or Review Auction Applications** 

Approved by OMB 3060-0600 (Notice to Applicants)

# Create New Application

- Auction 164 Sample SMR Auction -- Initial Filing Window closes 5/17/2006, 3:30 PM
- Auction 250 ULS Integration Test Auction -- Initial Filing Window closes 7/27/2005, 6:00 PM

# **Review or Modify Existing Applications**

Auction	Applicant Name	Application Sta	atus Last	Modified	Last Submitted	
102 Initial Filing Wind	Bidder One Corporation dow Closes 12/19/2006 6:00 PM	Submitted	7/21	/2005, 1:29 PM	7/21/2005, 1:29 PM	\$ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
\$ - Upfront Payment Calculator and Form 159		🔁 - Refund Form	🕜 - Edit Application	🕎 - Withdraw App	olication Search	

# Documentation

Auction:

3 - PCS Narrowband Region



GO

Logged In: FRN 0007318298 (Log Out)

2 Help

# Auction Application Manager Upfront Payment Calculator

#### **Calculating Your Upfront Payment**

Applicants are solely responsible for determining the amount of their upfront payment. In most FCC auctions, the amount of the upfront payment determines initial bidding eligibility. In calculating an upfront payment amount, an applicant should determine the maximum number of bidding units on which it may wish to be active (bid on or hold provisionally winning bids on) in any given round, and submit an upfront payment amount covering that number of bidding units. The upfront payment calculator may assist applicants in determining an amount. However, regardless of whether they use the upfront payment calculator, applicants should check their calculations carefully, as there is no provision for increasing a bidder's eligibility after the upfront payment deadline.

The following table lists all available permits based on selections in your submitted FCC Form 175. The upfront payment calculator will help you to determine the appropriate upfront payment amount to submit with your Form 159. Use of the upfront payment calculator is always optional; you can type another amount in the Total Upfront Payment field or Total Bidding Units field, if desired. Please refer to the <u>Auction No. 70 Procedures</u> public notice for a complete explanation of upfront payments and bidding eligibility.

Eligibility is not permit specific. You do not have to make an upfront payment to cover all permits for which you have applied on FCC Form 175, but rather to cover the maximum number of bidding units that are associated with permits on which you wish to place bids and hold provisionally winning bids in any single round. In order to calculate a total upfront payment, an applicant should add together the bidding units for all permits on which it seeks to be active in any given round, and submit an upfront payment amount covering that number of bidding units. Please refer to the <u>Auction No. 70 Procedures</u> public notice for further explanation.

To use the Upfront Payment Calculator, do the following:

- Select all permits on which you seek to be active in any given round. The calculator will automatically calculate the total bidding units (maximum eligibility) and upfront payment amount for those permits.
- 2. To save the total upfront payment amount and carry it through to Form 159, click the "Carry to 159" button.

Please note that if you selected 1,000 or more permits, the calculator will not display the list or keep a running total of bidding units. If you have selected 1,000 or more permits, simply type in the total number of bidding units for which you want to establish your maximum eligibility. The calculator will then automatically calculate the corresponding upfront payment amount.

#### About the Former Defaulter's Calculation

The upfront payment amount required for former defaulters may be higher than that for applicants who have never been in default. The upfront payment calculator will adjust the upfront payment amount accordingly. Refer to the Procedures PN for more information.

#### **Available Permits**

Select ( <u>All</u>   <u>Clear</u> )	Permit Number	Location	Bidding Units	Upfront Payments
	MM-FM505-A	Arkadelphia AR	20,000	\$20,000
	MM-FM506-A	Bearden AR	20,000	\$20,000
	MM-FM507-A	Paragould AR	50,000	\$50,000
	MM-FM508-A	Rison AR	20,000	\$20,000
			Total Bidding Units	Total Upfront Payment
				\$
				CARRY TO 159 CLOSE WINDOW

Logged In: FRN 0007318298 (Log Out)

2 Help

## Auction Application Manager Upfront Payment Calculator

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<b>▽</b>	MM-FM507-A	Paragould AR	50,000	\$50,000	
~	MM-FM508-A	Rison AR	20,000	\$20,000	
			Total Bidding Units	Total Upfront Payment	
			70,000	\$ 70,000	
				CARRY TO 159 CLOSE WIND	ow)



# **Electronic Form 159**

For many filings the Applicant is the Payer. However, if the Payer is a third party, the Payer's FRN will be different from that of the Applicant. Enter the Payer FRN and Password below. If the Payer does not have a valid FRN, you must register online in the FRN Registration System and return to Form 159 to complete payment process.

Please enter your FCC Registration Number (FRN) and Password to continue.

Login				
Payer's FRN:				
Password:				
CONTINUE				

Note: Payer information will be pre-filled from the FRN Registration System database.

To use this Form 159 you must have the Adobe Reader® installed (Version 4.0 or higher). You may <u>download</u> and install the reader now, or learn <u>more</u> from Adobe.



If you have forgotten your FRN or password, call the FCC help line at (877) 480-3201; TTY (202) 414-1255 for assistance.

Customer Service					
FCC Fees FCC Web Policies FCC Home Page					
If you have any questions or concerns please contact your licensing system help desk.					