



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information: 202-418-0500
Internet: www.fcc.gov
TTY: 888-835-5322

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62 APPLICANTS QUALIFIED TO BID IN THE FORWARD AUCTION (AUCTION 1002) OF THE BROADCAST TELEVISION INCENTIVE AUCTION; CLOCK PHASE BIDDING TO BEGIN ON AUGUST 16, 2016

ANNOUNCEMENT OF SCHEDULE FOR PRACTICE AND MOCK AUCTIONS AND CLOCK PHASE BIDDING IN THE FORWARD AUCTION

AU Docket No. 14-252
GN Docket No. 12-268
WT Docket No. 12-269

1. By this Public Notice, the Wireless Telecommunications Bureau (Bureau) and the Incentive Auction Task Force (Task Force) identify 62 applicants found to be qualified to bid in the upcoming forward auction (Auction 1002), and announce that bidding in the clock phase of the forward auction in the initial stage will begin on August 16, 2016.¹ This Public Notice provides details, instructions, and specific dates regarding the availability of educational materials, the opportunity for each qualified bidder to participate in the clock phase practice and mock auctions, and the start of clock phase bidding in the forward auction. This Public Notice also addresses the continuing obligations and auction procedures for all Auction 1002 applicants, including those that have been deemed not qualified to bid.

I. QUALIFIED AND NON-QUALIFIED BIDDERS

A. Qualified Bidders

2. Attachment A to this Public Notice lists the name of each qualified bidder and each qualified bidder's claimed bidding credit, if any.² Designation of an applicant as qualified to bid in

¹ A copy of this Public Notice will be sent by overnight delivery to the contact person listed on the FCC Form 175 for each Auction 1002 applicant.

² As noted in the *Auction 1002 Complete Applications Public Notice*, SAL Spectrum, LLC (SAL) requested confidential treatment of subscriber information for SAL and its affiliates contained in its application to participate in Auction 1002, and related information submitted by attachment to the application, in support of its request for a rural service provider bidding credit. See *99 Applications to Participate in the Forward Auction (Auction 1002) of the Broadcast Television Spectrum Incentive Auction Deemed to be Complete*, Public Notice, 31 FCC Rcd 4433, 4434, para. 4 n.5 (WTB 2016) (*Auction 1002 Complete Applications Public Notice*). During the Auction 1002 resubmission filing window, SAL amended its application to include a request for confidential treatment of all subscriber information for its foreign affiliates. *Id.* The Bureau's Auctions and Spectrum Access Division denied SAL's request on April 20, 2016. See *SAL Spectrum, LLC – Request for Confidential Treatment of Subscribers Information Provided in FCC Form 175*, Letter Order, 31 FCC Rcd 3726 (WTB/ASAD 2016). On May 3, 2016, SAL, along with its parent company, Atlantic Tele-Network, Inc. (ATN), filed an application for review of the denial of SAL's request for confidential treatment with respect to certain subscribers of SAL's foreign affiliates. See *SAL Spectrum, LLC, Application to Participate in Auction 1002, File No. 0007122225*, Application for Review

Auction 1002 indicates that the applicant has provided the necessary certifications and information concerning its qualifications for participation in Auction 1002 and timely submitted a sufficient upfront payment as required by the Commission's competitive bidding rules.³

3. In order to participate effectively in the auction, each qualified bidder should again review the auction rules, procedures, and other information described in the *Auction 1000 Bidding Procedures Public Notice*, *Auction 1000 Application Procedures Public Notice*, *Initial Clearing Target Public Notice*, and other public notices.⁴ These public notices and other documents related to Auction 1002 are available on the Auction 1002 website under the "Documents" section at www.fcc.gov/auctions/1002.

B. Non-Qualified Bidders

4. Attachment B to this Public Notice lists each applicant that submitted an FCC Form 175 but did not qualify to bid in Auction 1002. All applicants, including those who have been deemed not qualified to bid, remain subject to the Commission's rules prohibiting certain communications in connection with Commission auctions.⁵

II. REGISTRATION AND ACCESS TO THE AUCTION SYSTEM

A. Registration Materials

5. All qualified bidders have been automatically registered for the auction. Following the release of this Public Notice, registration materials will be sent by overnight delivery to the contact person

(filed May 3, 2016). SAL and ATN also separately filed a petition for waiver of the rural service bidding credit eligibility requirements set forth in 47 CFR § 1.2110(f)(4). See *SAL Spectrum, LLC, Application to Participate in Auction 1002*, File No. 0007122225, Petition for Waiver (filed May 3, 2016). The Bureau sought comment on the waiver petition. See *Wireless Telecommunications Bureau Seeks Comment on Atlantic Tele-Network, Inc., and SAL Spectrum, LLC, Petition for Waiver to Claim Eligibility for a Rural Service Provider Bidding Credit in Auction 1002*, Public Notice, 31 FCC Rcd 4607 (WTB 2016). While SAL has been deemed qualified to bid in the forward auction, its claim for a rural service provider bidding credit is subject to the outcome of these proceedings.

³ After the close of Auction 1002, each winning bidder must submit a post-auction long-form application (FCC Form 601) to demonstrate its qualifications to hold a Commission license and, if a bidding credit is requested, its eligibility for the requested bidding credit. Commission staff generally considers an applicant's qualifications and eligibility for a bidding credit after the auction during the long-form application process. Thus, a determination that an applicant's FCC Form 175 is complete and complies with the Commission's competitive bidding rules and policies is not determinative of an applicant's qualifications to hold a license or entitlement to a bidding credit. See 47 CFR §§ 1.2107 – 1.2109; see also *Implementation of Section 309(j) of the Communications Act – Competitive Bidding*, PP Docket No. 93-253, Second Report and Order, 9 FCC Rcd 2348, 2376-77, paras. 163-168 (1994). If an applicant is found unqualified to be a Commission licensee or ineligible for any claimed bidding credit, it will be liable for any obligations incurred as a result of its participation in the auction. See generally 47 CFR § 1.2109.

⁴ *Broadcast Incentive Auction Scheduled to Begin March 29, 2016; Procedures for Competitive Bidding in Auction 1000, Including Initial Clearing Target Determination, Qualifying to Bid, and Bidding in Auctions 1001 (Reverse) and 1002 (Forward)*, Public Notice, 30 FCC Rcd 8975, 9086, para. 236 (2015) (*Auction 1000 Bidding Procedures Public Notice*); *Application Procedures for Broadcast Incentive Auction Scheduled to Begin on March 29, 2016; Technical Formulas for Competitive Bidding*, Public Notice, 30 FCC Rcd 11034 (WTB 2015) (*Auction 1000 Application Procedures Public Notice*); *Initial Clearing Target of 126 Megahertz Set for the Broadcast Television Spectrum Incentive Auction; Bidding in the Clock Phase of the Reverse Auction (Auction 1001) Will Start on May 31, 2016*, Public Notice, 31 FCC Rcd 3863, 3863-65, 3869-79, paras. 3-5, Appx. A (WTB 2016) (*Initial Clearing Target Public Notice*).

⁵ See 47 CFR § 1.2105(c); see also *Guidance Regarding the Prohibition of Certain Communications During the Incentive Auction, Auction 1000*, Public Notice, 30 FCC Rcd 10794, 10804-09, paras. 25-42 (WTB 2015) (*Prohibited Communications Public Notice*).

at the contact person's address listed in the qualified bidder's FCC Form 175.⁶ Upon receipt, each qualified bidder should be in possession of the following:

- At least two RSA SecurID[®] tokens (RSA tokens);⁷
- A web address and instructions for accessing and logging in to the Auction System;⁸
- An FCC assigned username (User ID) for each authorized bidder; and
- Auction Bidder Line telephone number.

6. A qualified bidder must have the above-referenced registration materials to participate in the clock phase practice and mock auctions, as well as in the forward auction.⁹ Any qualified bidder listed in Attachment A of this Public Notice that has not received the registration materials **by 12:00 noon Eastern Time (ET) on July 20, 2016**, must contact the Auctions Hotline at (717) 338-2868. Receipt of the registration mailing is critical to participating in the clock phase practice and mock auctions, as well as the forward auction. Each qualified bidder is responsible for ensuring it has received all of the registration materials.

7. Each qualified bidder is solely responsible for ensuring the security and functionality of its computer systems, Internet connection(s), and its registration materials, in addition to ensuring that only its authorized bidders place bids on its behalf. The Commission assumes no responsibility or liability for these matters.

WARNING: Any unauthorized entity accessing or tampering with an FCC or other government computer system will be prosecuted to the full extent of the law.

B. Registration Material Replacement

8. In the event that a qualified bidder's RSA tokens are lost or damaged, only a person who has been designated as an authorized bidder, the contact person, or the certifying official on the bidder's FCC Form 175 may request replacements. To request replacement of these items, call the Auction Bidder Line at the telephone number provided in the registration materials or the Auction Hotline at (717) 338-2868.

C. Access to the Auction System for the Clock Phase Practice and Mock Auctions and the Forward Auction

9. The Commission will conduct the clock phase practice and mock auctions, as well as the forward auction, electronically over the Internet, and will provide the option of telephonic bidding using the Auction Bidder Line for those auctions. Each qualified bidder will receive in its registration materials the web address for accessing the Auction System and the phone number for the Auction Bidder Line.

⁶ This package will require a signature for delivery. The signature is required in order to confirm receipt. The person signing for the package does not need to be the contact person identified in the qualified bidder's application.

⁷ Each qualified bidder has been issued either two or three RSA tokens depending on the number of authorized bidders it identified on its FCC Form 175. A bidder with three authorized bidders has been issued three RSA tokens. A bidder with one or two authorized bidder(s) has been issued an RSA token for each of its authorized bidders, plus one extra RSA token. The extra RSA token cannot be used unless the contact person, certifier, or an authorized bidder for the qualified bidder contacts the FCC to activate the extra token for a specific additional authorized bidder or for an authorized bidder whose RSA token has been lost or damaged.

⁸ The registration materials also discuss how and when the Forward Auction Bidding System and bidder information contained in the system can be accessed.

⁹ The contact person is responsible for distributing each RSA token to the specific authorized bidder(s) associated with each token, as well as the relevant information in the registration materials necessary for the authorized bidder to set up its access to the Auction System.

10. The web address for the Auction System will provide access to the Forward Auction Bidding System. The Forward Auction Bidding System will be available starting on Tuesday, July 19, 2016, at 10:00 a.m. ET and will remain available throughout the clock phase of Stage 1 of the forward auction. The Forward Auction Bidding System will provide bidders with access to the impairment data files and their actual clock phase data, except that, during the periods designated for the practice auction or mock auction (noted below), the link on the web page will direct bidders to their data for Scenario 1 or 2 of the practice auction, or to their data for the mock auction, rather than their actual data.¹⁰ All functionality of the Forward Auction Bidding System will be fully available during the practice and mock auctions. We strongly encourage each authorized bidder to log in to the Forward Auction Bidding System as soon as possible after it becomes available, and before the practice auction period, to ensure that they can access the system.

11. Each authorized bidder must have its own RSA token to bid electronically or by telephone in the practice and mock auctions, and in the forward auction. For security purposes, the RSA tokens are being sent only to the contact person at the contact address listed on the qualified bidder's FCC Form 175 along with instructions for using them. Please note that each RSA token is tailored to a specific auction and for a specific authorized bidder. RSA tokens issued for other auctions or obtained from a source other than the FCC will not work for Auction 1002.

12. All bidders should carefully review the "FCC Incentive Auction Forward Auction Clock Phase Bidding System User Guide" (Forward Auction Bidding System User Guide). There are minimum system requirements for accessing the Forward Auction Bidding System. Bidders should note that smartphones and tablets are not supported. Users should test their computer configurations and browser(s) with the Forward Auction Bidding System in advance of the forward auction—for example during the practice or mock auctions. Any user attempting to access the Forward Auction Bidding System with a computer configuration or device that does not meet the requirements listed in the user guide is solely responsible for any resulting failure to access the Forward Auction Bidding System, failure to do so in a timely manner, or failure of the bidding system to process the user's attempted bidding or other actions (even if it appears that such actions were completed properly).

13. Any bidder may use the Auction Bidder Line as an alternative method of bidding in the practice and mock auctions and/or the forward auction. The practice and mock auctions provide an opportunity for bidders to try to bid using the Auction Bidder Line and to become familiar with that process and the time required.

14. Qualified bidders choosing to bid telephonically during the practice and mock auctions, and/or the forward auction should initiate their calls as early as possible during a round. Telephonic bid assistants must use a script, and the length of a call to place bids may vary depending on the complexity and number of bids.

D. Bidding Contingency Plan

15. Prior to the start of the auction, each bidder should develop a comprehensive contingency plan that can be quickly implemented in case difficulties arise when participating in the auction. While the Commission will correct any problems with Commission-controlled facilities, each bidder is solely responsible for anticipating and overcoming problems such as bidder computer failures or other technical issues, loss of or problems with data connections (including those used to access and place bids in the Forward Auction Bidding System), telephone service interruptions, adverse local weather conditions, unavailability of its authorized bidders, or the loss or breach of confidential security codes.

¹⁰ Accordingly, a separate link will not be needed or provided for access to Scenario 1, Scenario 2, and the mock auction. *Cf. Auction 1002 Practice and Mock Auction Public Notice*, DA 16-686 at 2, para. 5.

16. A bidder should ensure that each of its authorized bidders can access and place bids in the Forward Auction Bidding System, and it should not rely upon the same computer to do so. Contingency plans will ideally include arrangements for accessing and placing bids in the Forward Auction Bidding System from one or more alternative locations.

17. We remind bidders that their contingency plans might include, among other arrangements, calling the Auction Bidder Line. If a bidder encounters a situation in which it must implement its backup plan and call the Auction Bidder Line, it should do so as soon as possible and as early in the round as possible. Calling at the beginning of a round will help ensure that the call can be completed before the end of the round. Failure to call early in the round may affect the bidder's ability to submit some or all of its bids before the round closes.

18. If for any reason a bidder fails to submit all of its bids before the round closes, it may lose some or all of its bidding eligibility. If a bidder loses all of its bidding eligibility, it will no longer be able to bid in the auction. The Commission will not be able to restore any portion of a bidder's lost bidding eligibility.

III. EDUCATIONAL MATERIALS AND IMPORTANT UPCOMING EVENTS AND DATES FOR AUCTION 1002 QUALIFIED BIDDERS

19. Below we provide information regarding the availability of educational and informational materials, and the opportunity for qualified bidders to practice with the auction system and participate in a mock auction prior to the start of bidding in the clock phase of the forward auction.

A. FCC Incentive Auction Forward Auction Bidding System User Guide

20. The Forward Auction Bidding System User Guide, which describes the features of the bidding system that will be used to bid in the clock phase of the forward auction, is available in electronic form under the "Education" section of the Auction 1002 website (www.fcc.gov/auctions/1002).¹¹ Following the release of this Public Notice, we will email a link to access and download the user guide to each authorized bidder and to the contact person listed on the qualified bidder's FCC Form 175. Additionally, the user guide will remain available and accessible on the Auction 1002 website for reference. Bidders are encouraged to read the user guide prior to participating in the practice auction in order to familiarize themselves with the bidding system.

B. Forward Auction Clock Phase Online Bidding Tutorial

21. An online tutorial regarding procedures for bidding in the clock phase of the forward auction will be available as soon as possible following the release of this Public Notice. The online tutorial will provide information about the procedures for the forward auction clock phase as well as how the bidding system reflects those procedures. The tutorial will allow viewers to navigate the presentation outline, review written notes, listen to an audio recording of the notes, and search for topics using a text search function. Additional features of this web-based tool include links to auction-specific Commission releases, email links for contacting Commission auctions and licensing staff, and screen shots of the bidding system. The online tutorial will be accessible from the Auction 1002 website through a link in the "Education" section. Once posted, the tutorial will remain available and accessible on the Auction 1002 website for reference.

C. Access to Detailed Impairment Information

22. Using his/her assigned RSA token, each authorized bidder can log in to the Forward Auction Bidding System once it becomes available in order to view and download detailed information

¹¹ *User Guide Available for the Incentive Auction Forward Auction Clock Phase Bidding System*, Public Notice, DA 16-791 (WTB July 13, 2016).

regarding impairments, including the actual source and location of impairments.¹² The same impairment information will be available in the bidding system during the practice and mock auctions, as the blocks offered in those auctions will match those to be offered in the clock phase.¹³ The impairment information is non-public and is provided only to qualified bidders to help guide their bidding in the forward auction.¹⁴ This information will not be disclosed publicly until after the auction concludes.

D. Clock Phase Practice Auction

23. We will provide one clock phase practice auction opportunity for all qualified bidders in the forward auction beginning on July 25, 2016 and ending on July 29, 2016.

24. The practice auction will include two scenarios, Scenario 1 and Scenario 2, which will be an extended round. The practice auction data for Scenario 1 will be available beginning at 10:00 a.m. ET on July 25, 2016. The practice auction data for Scenario 2 will be available beginning at 10:00 a.m. ET on July 28, 2016. Only qualified bidders that participate in Scenario 1 will be able to log in and participate in Scenario 2. The schedule of rounds for the practice auction is as follows:

July 25, 2016:	Scenario 1, Round 1	1:00 p.m. – 5:00 p.m. ET
July 26, 2016:	Scenario 1, Round 2	10:00 a.m. – 1:00 p.m. ET
	Scenario 1, Round 3	2:00 p.m. – 4:00p.m. ET
July 27, 2016:	Scenario 1, Round 4	10:00 a.m. – 12:00 p.m. ET
	Scenario 1, Round 5	1:00 p.m. – 2:00 p.m. ET
	Scenario 1, Round 6	3:00 p.m. – 4:00 p.m. ET
July 28, 2016:	Scenario 2, Extended Round	1:00 p.m. – 3:00 p.m. ET
July 29, 2016:	Scenario 2, Additional Round, if it occurs ¹⁵	10:00 a.m. – 12:00 a.m. ET

25. For the clock phase practice auction, a qualified bidder's assigned Partial Economic Areas (PEAs) and eligibility will not represent the actual PEAs for which it is qualified to bid or its eligibility based on its actual upfront payment.¹⁶ The bidding scenarios that will be used for the practice

¹² For more information about the detailed impairment information that will be accessible from the Forward Auction Bidding System, please see the *Auction 1000 Bidding Procedures Public Notice*. See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9043-44, para. 134; *Wireless Telecommunications Bureau Updates Broadcast Incentive Auction File Formats for Forward Auction Clock Phase, Announces a Bid Upload Feature for All Rounds, and Provides Additional Data on Impairment Data Downloads*, Public Notice, 31 FCC Rcd 2129, 2129-30, para. 4 (WTB 2016). See also WTB, Impairment File Formats (updated Mar. 24, 2016), www.fcc.gov/auctions/1002 (under the "Data" section); WTB, Impairment Data Download Reference files, www.fcc.gov/auctions/1002 (under the "Data" section).

¹³ Bidders will not be able to download this information during a bidding round of the practice and mock auctions or the forward auction.

¹⁴ See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9043-46, paras. 134-36. Impairment information is considered part of a bidder's bidding strategy, and therefore, should be treated as such. See *Prohibited Communications Public Notice*, 30 FCC Rcd 10794.

¹⁵ If the final stage rule is not met during Scenario 2, extended round, the stage in Scenario 2 will end and there will be no subsequent rounds in the practice auction.

¹⁶ See *Practice and Mock Auction Information for the Forward Auction (Auction 1002)*, Public Notice, DA 16-686, 2, para. 4 (WTB June 21, 2016) (*Auction 1002 Practice and Mock Auction Public Notice*).

auction are designed to provide experience with the Forward Auction Bidding System, but will not predict actual bidding in the clock phase of the forward auction.¹⁷ The scenarios that will be used for the practice auction are designed so that within several rounds of bidding, bidders will experience key forward auction events or benchmarks.

26. We strongly encourage each qualified bidder to participate in the practice auction. A bidder should take advantage of the practice auction to practice taking actions it may wish to take during actual bidding in the clock phase of the forward auction and to familiarize itself with the bidding system. Bidders can also practice implementing their contingency plans, which may include placing bids using the Auction Bidder Line. For more information about the clock phase practice auction, please see the *Auction 1002 Practice and Mock Auctions Public Notice*.¹⁸

E. Clock Phase Mock Auction

27. We will conduct one mock auction for all bidders qualified to bid in the forward auction beginning on August 11, 2016, and ending on August 12, 2016. The clock phase mock auction will provide qualified bidders with a final opportunity, after their experience during the practice auction, to bid in simulated clock phase rounds before and after the spectrum reserve split in order to become more familiar with the Forward Auction Bidding System.¹⁹ For more information about the clock phase mock auction, please see the *Auction 1002 Practice and Mock Auctions Public Notice*.²⁰

28. The clock phase mock auction data will become available beginning at 10:00 a.m. ET on August 10, 2016. The schedule of rounds for the mock auction is as follows:

August 11, 2016:	Mock Bidding Round 1	10:00 a.m. – 12:00 p.m. ET
	Mock Bidding Round 2	2:00 p.m. – 4:00 p.m. ET
August 12, 2016:	Mock Bidding Round 3	10:00 a.m. – 11:00 p.m. ET
	Mock Bidding Round 4	12:00 p.m. – 2:00 p.m. ET
	Mock Bidding Round 5	3:00 p.m. – 4:00 p.m. ET

29. As with the practice auction, we strongly encourage each qualified bidder to participate in the mock auction. The mock auction provides an additional opportunity for the bidder to practice taking actions it may wish to take during actual bidding in the clock phase of the forward auction, to further familiarize itself with the bidding software and telephonic bid process, and to test its contingency plans.

F. Bidder Questions During the Practice and Mock Auctions and the Forward Auction

30. Commission auction staff will be available during the practice and mock auctions and the forward auction. Only a person who has been designated as an authorized bidder, the contact person, or the certifying official on the qualified bidder's FCC Form 175 should call on behalf of a bidder. To place bids by telephone or to ask time-sensitive questions during the auction, an authorized bidder must use the FCC Auction Bidder Line telephone number supplied in the registration materials and have his or her login information and RSA token available. Otherwise a bidder should refer to the contact information provided in Section VII, "Additional Information and Staff Contacts," below.

¹⁷ *Id.*

¹⁸ *Auction 1002 Practice and Mock Auctions Public Notice*, DA 16-686.

¹⁹ *See id.* at 4-5, paras. 16-19.

²⁰ *Auction 1002 Practice and Mock Auctions Public Notice*, DA 16-686.

G. Bidder Suggestions

31. A bidder may submit suggestions to Commission staff, including any suggestions concerning Auction 1002 or future auctions, by using the “Messages” feature in the Forward Auction Bidding System.²¹ However, this is not an appropriate mechanism for asking time-sensitive questions that may need an immediate response. Any time-sensitive questions should be directed to the Auction Bidder Line, as explained above. Commission staff considers all suggestions, but may not always provide an individualized response.

IV. FORWARD AUCTION INFORMATION**A. Auction 1002 Announcements**

32. The Commission will post pertinent auction information as announcements in the Forward Auction Bidding System. Each bidder should routinely check for announcements each time it enters the Forward Auction Bidding System and should click on and read each announcement carefully.

B. Bidding Schedule

33. Bidding in the clock phase of the forward auction will begin on Tuesday, August 16, 2016, with the following schedule:

Bidding Round	10:00 a.m. – 4:00 p.m. ET
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34. The bidding schedule starting on Wednesday, August 17, 2016, and continuing until further notice, will be:

Bidding Round	10:00 a.m. – 12:00 p.m. ET
Bidding Round	2:00 p.m. – 4:00 p.m. ET

35. We will set the pace of the auction based upon monitoring of the bidding and assessment of the auction’s progress. We will provide notice of all subsequent schedule changes by announcement in the Forward Auction Bidding System and the Incentive Auction Public Reporting System (PRS) during the course of the auction.

C. Bid Amounts

36. The minimum opening bid amounts for the generic blocks available in Auction 1002 are set forth in the updated Appendix F as released with the *Upfront Payment Public Notice*.²² Clock prices for subsequent bidding rounds will be set by adding a fixed percentage to the previous round’s price at an increment of between one and 15 percent, with the initial increment set at five percent. The increments may be changed during the auction on a PEA-by-PEA or category-by-category basis as stages and rounds continue, but any changes will be announced in advance.²³

37. We caution each qualified bidder to place its bids carefully because each bidder assumes a binding obligation to pay the final clock phase price for its winning bids (adjusted by the percentage of

²¹ To access the “Messages” feature, select the “Messages” link on the navigation pane of the Forward Auction Bidding System. For information on how to use this feature, please see the Forward Auction Bidding System User Guide.

²² See *Upfront Payment Instructions for the Forward Auction (Auction 1002) of the Broadcast Television Spectrum Incentive Auction; Updated Appendix on Upfront Payment Amounts; Upfront Payments Due By July 1, 2016*, Public Notice, DA 16-625 (*Upfront Payment Public Notice*).

²³ See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9071, para. 193.

any impairment to the frequency block along with any assignment phase payments) should the bidder become a clock phase winning bidder, even if the bid was mistakenly or erroneously made.²⁴

D. Round Results

38. Round results will be available approximately 15 minutes after the close of each round. Auction 1002 will be conducted using procedures that limit the disclosure of information on bidder interests and identities until after the close of bidding.²⁵

39. Two types of round results will be available to qualified bidders during the auction: (1) publicly-available information and (2) bidder-specific information available only to that bidder when logged in to the Forward Auction Bidding System. The public information will be available on the PRS at <https://auctiondata.fcc.gov> and from a link in the “Results” section of the Auction 1002 website at www.fcc.gov/auction/1002. When a bidder is logged in to the Forward Auction Bidding System, it will have access to a record of the bids it placed by using the “Bid Summary” feature and will have access to the results of its bids by using the “My Results” feature. These features can be accessed using the links in the navigation bar of the Forward Auction Bidding System.

40. Detailed instructions for viewing and downloading round results are provided in the Forward Auction Bidding System User Guide.

E. Incentive Auction Public Reporting System

41. Because the PRS will chronicle the course of both the reverse and forward auctions, the amount and nature of the information displayed will increase and evolve as the auction progresses.²⁶ The Dashboard of the PRS will include information about the current stage of the incentive auction, including the status, the clearing target, and the amount of licensed spectrum available.²⁷ The Dashboard will also display information about progress toward meeting the final stage rule and indicate when it has been met.²⁸ In addition to providing public announcements related to the forward auction clock and assignment phases, the Forward Auction section of the PRS will provide a Product Status screen. The Product Status screen will be updated after every forward auction clock round for each product—that is, for each category of the blocks in each PEA.²⁹ The screen will include opening and clock prices for the round, aggregate demand and posted price after bid processing, and the clock price for the next round.³⁰ This data will also be available for download.³¹

²⁴ See 47 CFR § 1.2104(g); see also *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9094, para. 257.

²⁵ See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9046, para. 138 & n.433.

²⁶ See *Wireless Telecommunications Bureau and Incentive Auction Task Force Announce the Availability of Incentive Auction Information Through the Incentive Auction Public Reporting System*, Public Notice, DA 16-587, 1, para. 2 (WTB May 27, 2016).

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.* at 2, para. 6.

³⁰ *Id.* Qualified bidders for Auction 1002 will also have access to additional auction features and non-public information through the Auction System. See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9043-44, para. 134 (describing the information that will be available through the Auction System to qualified bidders in the forward auction).

³¹ Instructions for downloading this data are provided in the PRS User Guide, which is available on the Auction 1002 website (www.fcc.gov/auctions/1002) in the “Education” section.

V. OTHER IMPORTANT AUCTION 1002 INFORMATION

A. Availability of Auction 1002 Application Information

42. All FCC Form 175 applications submitted during the initial application filing window became publicly available on March 21, 2016.³² Following release of this Public Notice, any modifications to FCC Form 175 applications and other information that were submitted through the Auction System after the initial filing deadline on February 10, 2016, will become publicly available.³³ At this time, the Auction System will also become available for applicants to electronically make minor, permissible changes to their applications. We remind each applicant that notified the Commission of changes to its auction application via email during a time when the Auction System was not available to applicants to make such changes electronically that it must update its application in the Auction System to reflect those changes now that the system is again available to applicants.

43. Applicants should note that, going forward, any changes made to their FCC Form 175 applications in the Auction System will become publicly available after submission.

B. Updated Cost Element Information Applicable to the Final Stage Rule

44. In the *Auction 1000 Bidding Procedures Public Notice*, the Commission adopted procedures to implement the final stage rule, which establishes reserve price conditions that, when met, will determine that bidding in the incentive auction will end with the current stage and clearing target.³⁴ The final stage rule contains three cost elements: (1) winning bidder payments required for broadcasters; (2) broadcaster relocation costs; and (3) the Commission's relevant administrative costs.³⁵ The Commission previously estimated its relevant administrative costs at \$226 million, and announced that it would update that cost figure prior to the start of bidding in the clock phase of the forward auction.³⁶ By this Public Notice, we update the Commission's relevant administrative costs to \$207 million.

VI. APPLICANTS' CONTINUING OBLIGATIONS

A. Making Modifications to Applications

45. We remind applicants that Sections 1.65 and 1.2105(b)(4) of the Commission's rules require they maintain the accuracy and completeness of information furnished in their applications to participate in Auction 1002.³⁷ Each applicant should amend its application to furnish additional or corrected information within five days of a significant occurrence, or no more than five days after the

³² See *Status of Applications to Participate in the Broadcast Television Spectrum Incentive Forward Auction (Auction 1002); Applications Deemed Incomplete Must Be Resubmitted by April 6, 2016*, Public Notice, 31 FCC Rcd 1962, 1963, para. 5 (WTB 2016). Consistent with the Commission's limited information procedures in place for Auction 1002, the following application information will continue to be withheld from public disclosure until after the close of the auction: an applicant's license area and reserve spectrum eligibility selections, the amount of any upfront payment made by or on behalf of an applicant, any information on an applicant's bidding eligibility (including whether an applicant is eligible to bid on reserve spectrum), and any other bidding-related information that might reveal the identity of the bidders placing bids and taking other bidding-related actions. See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9046, para. 138 & n.433.

³³ To access the Auction System in order to make changes to a FCC Form 175, go to <https://auctionsignon.fcc.gov> (primary location) or <https://auctionsignon2.fcc.gov> (secondary location).

³⁴ See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9078-83, paras. 215-227.

³⁵ See *id.* at 9081, para. 221.

³⁶ *Id.*

³⁷ 47 CFR §§ 1.65, 1.2105.

applicant becomes aware of the need for amendment.³⁸ All changes are subject to review by Commission staff.

46. An applicant that needs to make permissible minor changes to its FCC Form 175, or must make changes in order to maintain the accuracy and completeness of its application during a time when the Auction System is available to the applicant for purposes of making the type of change(s) required, must make such changes to its FCC Form 175 electronically using the Auction System.³⁹ The applicant must also submit a letter briefly summarizing the changes to its FCC Form 175 by email to auction1002@fcc.gov. The letter summarizing the changes must include a subject or caption referring to Auction 1002 and the name of the applicant, for example, “Re: Changes to Auction 1002 Application of XYZ Corp.” Any attachments to the email must be formatted as Adobe® Acrobat® (PDF) or Microsoft® Word documents. An applicant must not submit application-specific material through the Commission’s Electronic Comment Filing System.

47. For more information on an applicant’s continuing obligation to maintain the accuracy and completeness of information furnished in its application to participate in Auction 1002, applicants should refer to previous Broadcast Incentive Auction public notices, including the *Auction 1000 Application Procedures Public Notice* and the *Auction 1002 Complete Applications Public Notice*.⁴⁰

B. Due Diligence

48. We remind each potential bidder that it is solely responsible for investigating and evaluating all legal, technical, and marketplace factors and risks associated with the licenses that it is seeking in Auction 1002; evaluating the degree to which those factors and risks may have a bearing on the value of the licenses and/or affect the bidder’s ability to bid on, otherwise acquire, or make use of such licenses; and conducting any technical analyses necessary to assure itself that, if it wins any license(s), it will be able to build and operate facilities in accordance with the Commission’s rules. In addition, each potential bidder’s due diligence efforts should include, among other things: (1) reviewing all Commission orders and public notices establishing rules and policies for the 600 MHz Band, including but not limited to spectrum use during the Post-Auction Transition Period and potential impairments affecting certain licenses;⁴¹ (2) conducting research to determine the existence of any pending administrative or judicial proceedings, including pending allocation rulemaking proceedings, that might

³⁸ *Id.*

³⁹ To access the Auction System, go to <https://auctionsignon.fcc.gov> (primary location) or <https://auctionsignon2.fcc.gov> (secondary location).

⁴⁰ See *Auction 1000 Application Procedures Public Notice*, 30 FCC Rcd at 11082-84, paras. 143-148; *Auction 1002 Complete Applications Public Notice*, 31 FCC Rcd at 4436-37, paras. 12-14. Questions about FCC Form 175 amendments should be directed to the Auctions and Spectrum Access Division at (202) 418-0660 or by email to auction1002@fcc.gov.

⁴¹ See *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6567, 6796, para. 559 (2014) (*Incentive Auction Report and Order*) (modified by Erratum (June 3, 2014)). For the 600 MHz Band technical rules and the flexible-use service rules, which specify the terms under which the Commission will issue licenses in the 600 MHz Band, licensees should refer to *Incentive Auction Report and Order*. *Id.* at 6860-93, 6895-46, paras. 712-806 (§ VI.B), Appx. A (Final Rules). See also 47 CFR Part 27. The Post-Auction Transition Period is the 39-month period for broadcasters that are assigned new channels in the repacking process and winning reverse auction bidders to relocate to new channels or go off air. The Post-Auction Transition Period commences upon the release of the public notice announcing the results of the incentive auction and repacking process (*Channel Reassignment Public Notice*). For additional information concerning the incentive auction and 600 MHz Band rules and policies, including impairments affecting certain licenses available in Auction 1002, applicants should refer to orders, public notices, and other releases in GN Docket No. 12-268, AU Docket No. 14-252, and ET Docket No. 14-14.

affect its decision to participate in the auction;⁴² (3) performing (or refreshing previous) technical analyses; and (4) inspecting any prospective transmitter sites located in, or near, the service area for which it plans to bid and confirming the availability of such sites and their conformance with applicable federal, state, and local land use requirements.⁴³ Each potential bidder must undertake its own assessment of the relevance and importance of information gathered as part of its due diligence efforts.

49. We strongly encourage each participant in Auction 1002 to continue such research throughout the auction. For further details regarding due diligence, please refer to the *Auction 1000 Application Procedures Public Notice*.⁴⁴

C. Prohibition of Certain Communications

50. We remind applicants that Section 1.2105(c)(1) of the Commission's rules provides that, subject to specified exceptions, after the deadline for filing applications to participate in the forward auction, "all applicants are prohibited from cooperating or collaborating with respect to, communicating with or disclosing, to each other or any nationwide provider [of communications services] that is not an applicant, or, if the applicant is a nationwide provider, any non-nationwide provider that is not an applicant, in any manner the substance of their own, or each other's, or any other applicants' bids or bidding strategies (including post-auction market structure), or discussing or negotiating settlement agreements, until after the down payment deadline[.]"⁴⁵ Unlike past spectrum license auctions, the prohibition applies to certain communications between any forward auction applicants regardless of which licenses each applicant seeks. Furthermore, the rule now applies to communications by applicants with non-applicant nationwide providers of communications services; by nationwide applicants with non-applicant non-nationwide providers; and by all applicants with covered television broadcasters.⁴⁶ In addition, subject to specified exceptions, beginning at the "application filing deadline for the forward auction and until the results of the incentive auction are announced by public notice, all forward auction applicants are prohibited from communicating directly or indirectly any incentive auction applicant's bids or bidding strategies to any full power or Class A broadcast television licensee."⁴⁷

⁴² Pending and future administrative and judicial proceedings may relate to particular applicants or the licenses available in Auction 1002 (or the terms and conditions thereof, including all applicable Commission rules and regulations), and each prospective applicant is responsible for assessing the likelihood of the various possible outcomes and for considering the potential impact on licenses available in this auction. In addition, the Commission's statutory authority under the Communications Act of 1934, as amended, to add, modify and eliminate rules governing spectrum use, as the public interest warrants, applies equally to all licenses, whether acquired through the competitive bidding process or otherwise. *See* 47 U.S.C. § 309(j)(6)(C)-(D); *Celtronix Telemetry, Inc. v. FCC*, 272 F.3d 585 (D.C. Cir. 2001).

⁴³ *See, e.g.*, 47 U.S.C. §§ 332(c)(7), 1455(a); *Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, Report and Order, 29 FCC Rcd 12865 (2014).

⁴⁴ *Auction 1000 Application Procedures Public Notice*, 30 FCC Rcd at 11059-61, paras. 80-82.

⁴⁵ 47 CFR § 1.2105(c)(1).

⁴⁶ *Id.*

⁴⁷ *Id.* § 1.2105(c)(6).

51. The Commission's rules require covered parties to report violations of the prohibition on certain communications to the Commission.⁴⁸ Failure to make a timely report under the rule constitutes a continuing violation of the rule, with attendant consequences.

52. For a thorough discussion of the prohibition of certain communications during the incentive auction, please refer to the *Prohibited Communications Public Notice*.⁴⁹

D. Submission of Other Auction-Related Filings

53. A party wishing to submit a request, complaint, or other information concerning Auction 1002 should, in addition to following other procedures prescribed by the Commission's rules, send a copy by email to the attention of Margaret Wiener, Chief, Auctions and Spectrum Access Division, at the following address: auktion1002@fcc.gov. The Commission occasionally receives complaints regarding specific bidders and requests to suspend bidding during an auction. While the Commission reserves the right to take appropriate action during an auction to preserve the integrity of the auction process, it is generally our practice to address any such allegations only after a winning bidder has submitted its long-form application, when there is greater opportunity for investigation of such allegations, if warranted. The Commission will not investigate any complaints or allegations that are not accompanied by full contact information, including name, address, and telephone number, for the complaining party or parties.

VII. ADDITIONAL INFORMATION AND STAFF CONTACTS

54. Additional information for applicants is available at the Auction 1000 website (www.fcc.gov/auctions/1000).

55. For further information concerning Auction 1002, contact:

General Auction Information

General auction questions

FCC Auctions Hotline

(888) 225-5322, option two; or
(717) 338-2868

Technical Support

Hardware/software issues with electronic filing or FCC Auction System

FCC Auctions Technical Support Hotline

(877) 480-3201, option nine; or (202) 414-1250
(202) 414-1255 (TTY)
Hours of service: 8:00 a.m. - 6:00 p.m. ET,
Monday through Friday

Forward Auction Bidder Line

Provided in the registration materials for qualified bidders

Auction 1002 Process and Procedures

Bidding procedures, auction inventory, and auction schedule

Auctions and Spectrum Access Division

Linda Sanderson or Sue Sterner at (717) 338-2868

⁴⁸ See *id.* § 1.2105(c)(4). Reports must be filed with Margaret W. Wiener, Chief of the Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, by the most expeditious means available. Any such report should be submitted by email to Ms. Wiener at the following email address: auktion1000@fcc.gov. Any report in hard copy must be delivered only to Margaret W. Wiener, Chief, Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 6-C217, Washington, D.C. 20554.

⁴⁹ See *Prohibited Communications Public Notice*, 30 FCC Rcd 10794.

Auction 1002 Legal Information

Auction rules, policies, regulations,
including reports of Section 1.2105(c)
violations and application modifications

Auctions and Spectrum Access Division

Leslie Barnes or Valerie Barrish at (202) 418-0660

600 MHz Band Service Rules and Licensing**Broadband Division**

Madelaine Maior at (202) 418-1466 or
Jonathan Campbell at (202) 418-0605

Mobile Spectrum Holdings/Spectrum Reserve**Competition and Infrastructure Policy Division**

Karen Sprung at (202) 418-2762

Press Information

For press questions

Charles Meisch at (202) 418-2943

(800) 418-3676 (outside Washington, DC)

(202) 418-3676 (in the Washington, DC area)

FCC Internet Sites

www.fcc.gov/auctions/1000

www.fcc.gov/auctions/1002

auctiondata.fcc.gov

www.fcc.gov

wireless.fcc.gov/auctions

www.fcc.gov/incentiveauctions

apps.fcc.gov/ecfs

56. To request materials in accessible formats (Braille, large print, electronic files, audio format) for people with disabilities, send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-0432 (TTY).

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