



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, D.C. 20554

News Media Information: 202-418-0500
Fax-On-Demand: 202-418-2830
Internet: <http://www.fcc.gov>
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DA 99-639
April 5, 1999

AUCTION OF 168 LOCAL MULTIPOINT DISTRIBUTION SERVICE LICENSES

Status of Applications to Participate in the Auction

Report No. AUC-98-23-C (Auction No. 23)

The Federal Communications Commission ("FCC") has received **99** FCC Form 175 applications to participate in Auction No. 23, which is scheduled to begin on Tuesday, April 27, 1999. Auction No. 23 will make available 168 Local Multipoint Distribution Service (LMDS) licenses.¹ The applications for participation in the auction have been reviewed for completeness and compliance with the Commission's Rules, and have been grouped into the following three categories:

ACCEPTED FOR FILING.....	63 Applications
INCOMPLETE.....	36 Applications

Accepted: Applications classified as accepted for filing are listed in Attachment A. **These applicants will become qualified bidders upon receipt of the required upfront payment by 6:00 p.m. ET on Monday, April 12, 1999, as discussed below.** With respect to their applications, these applicants need take no further action except as may be necessary to keep their applications up-to-date.² Applicants are also advised that Attachment A includes FCC account numbers for each applicant. FCC account numbers are applicable for bidding only.

¹ The **168** licenses to be auctioned include: **122** Block A (1,150 MHz) and **46** Block B (150 MHz) licenses.

² See 47 C.F.R. §§ 1.65 and 1.2106.

Incomplete: Applications classified as incomplete are listed alphabetically in Attachment B. Applicants whose applications have been classified as incomplete will receive overnight correspondence indicating what information is required to make the applications acceptable for filing. **These applicants will become qualified bidders only if they: (1) resubmit their applications by 5:30 p.m. ET on Monday April 12, 1999 and correct the minor deficiencies indicated; and (2) make the required upfront payments by 6:00 p.m. ET on Monday, April 12, 1999, as discussed below.** They must also keep their applications up-to-date as required.³ Applicants are also advised that Attachment B includes FCC account numbers for each applicant. FCC account numbers are applicable for bidding only.

RESUBMISSION FILING DEADLINE

The FCC Form 175 applications must be corrected via the electronic filing system by no later than **5:30 p.m. ET on April 12, 1999.** This will be the only opportunity to cure FCC Form 175 defects; late resubmissions will not be accepted.

UPFRONT PAYMENT DEADLINE

Upfront payments and accompanying FCC Remittance Advice (FCC Form 159) for this auction are due at Mellon Bank, Pittsburgh, Pennsylvania, **by 6:00 p.m. ET on Monday, April 12, 1999.** Payments must be made by wire transfer and applicants must include their Taxpayer Identification Numbers (TIN). No other payment method is acceptable for this auction.⁴ **Applicants are reminded to use their TIN numbers, not their FCC Account Numbers, on the FCC Remittance Advice (FCC Form 159).**

Applicants that have filed applications classified by this Public Notice as incomplete must submit timely and sufficient upfront payments before the Commission will review their resubmitted applications. If such an application remains incomplete following its resubmission, it will be rejected. The upfront payments of applicants whose applications have been rejected after resubmission will be refunded automatically if the applicant has provided its Taxpayer Identification Number (TIN) and wire transfer instructions. Detailed information regarding upfront payments can be found in the Public Notice announcing the LMDS auction, DA99-266, released January 29, 1999.

OTHER IMPORTANT INFORMATION

Qualified Bidders: A Public Notice listing all applicants qualified to bid in the auction will be released after upfront payments have been received, resubmitted FCC Form 175 applications have been processed and reviewed, and payments and applications have been correlated. The Public Notice will

³ *id.*

⁴ See "Auction of Local Multipoint Distribution Service Spectrum; Auction Notice and Filing Requirements for 168 Local Multipoint Distribution Service Licenses Scheduled for April 27, 1999; Minimum Opening Bids and Other Procedural Issues," *Public Notice*, DA 99-266 (rel. January 29, 1999) ("*LMDS Auction Public Notice*") for detailed remittance and upfront payment instructions.

also include, among other things, the bidding schedule for the first two days of the auction as well as instructions on how to monitor the auction on-line and how to access the bid tracking tool software.

Reserve Price or Minimum Opening Bid: The Wireless Telecommunications Bureau has established minimum opening bid requirements for the LMDS auction.⁵

Prohibition of Collusion: To ensure the competitiveness of the auction process, Section 1.2105(c) of the Commission's Rules prohibits applicants for the same geographic license area from communicating with each other during the auction about bids, bidding strategies, or settlements. For the LMDS auction, this prohibition became effective at the filing deadline of short-form applications on Monday, March 29, 1999, and will end on the post-auction down payment due date to be announced in a future Public Notice. To comply with this rule, bidders competing for the same license(s) are encouraged not to use the same individual authorized bidder. A violation of the anti-collusion rule could occur if an individual acts as the authorized bidder for two or more competing applicants, and conveys information concerning the substance of bids or bidding strategies between the bidders he/she is authorized to represent in the auction. Also, if the authorized bidders are different individuals employed by the same organization (*e.g.*, law firm or consulting firm), a violation could similarly occur. At a minimum, in such a case, applicants should certify that precautionary steps have been taken to prevent communication between authorized bidders and that applicants and their bidding agents will comply with the anti-collusion rule.⁶ The Bureau cautions that merely filing a certifying statement as part of an application will not outweigh specific evidence that collusive behavior has occurred nor will it preclude the initiation of an investigation when warranted.⁷ In the LMDS auction, for example, the rule would apply to any applicants bidding for the same LMDS license. Therefore, applicants that apply to bid for "all markets" would be precluded from communicating with all other applicants after filing the FCC Form 175. However, applicants may enter into bidding agreements *before* filing their FCC Form 175 short-form applications, as long as they disclose the existence of the agreement(s) in their Form 175 short-form applications.⁸ By signing their FCC Form 175 short form applications, applicants are certifying their compliance with Section 1.2105(c). In addition, Section 1.65 of the Commission's Rules requires an applicant to *maintain* the accuracy and completeness of information furnished in its pending application and to notify the Commission within 30 days of any substantial change that may be of decisional significance to that application.⁹ Thus, Section 1.65 requires an auction applicant to notify the Commission of any violation of the anti-collusion rules upon learning of such violation. Bidders are therefore required to make such notification to the Commission immediately upon discovery.

⁵ For general information about how the minimum opening bids for the LMDS auction were calculated or to find out the minimum opening bid for each of the 168 LMDS licenses to be auctioned, see *LMDS Auction Public Notice*. This and other documents are available on the FCC Web Site at: <http://www.fcc.gov/wtb/auctions>.

⁶ See, *e.g.*, "Wireless Telecommunications Bureau Responds to Questions About the Local Multipoint Distribution Service Auction," *Public Notice*, 13 FCC Rcd 341 (1998); In re Application of Nevada Wireless for a License to Provide 800 MHz Specialized Mobile Radio Service in the Farmington, NM-CO Economic Area (EA-155) Frequency Band A, *Memorandum Opinion and Order*, 13 FCC Rcd 11973, 11977, ¶ 11 (1998) ("*Nevada Wireless*").

⁷ See *Nevada Wireless*, 13 FCC Rcd at 11978, ¶ 13 (1998).

⁸ See 47 C.F.R. § 1.2105(c).

⁹ See 47 C.F.R. § 1.65.

In addition, applicants are reminded that they are subject to the antitrust laws, which are designed to prevent anti-competitive behavior in the marketplace. Winning bidders will be required to disclose in their long-form applications the specific terms, conditions and parties involved in all bidding consortia, joint ventures, partnerships, and other arrangements entered into relating to the competitive bidding process. Bidders found to have violated the anti-collusion rule may be subject to sanctions.¹⁰

Ex Parte Rule: Applicants should also be aware that the Commission has generally exempted auction proceedings from the strict requirements of the *ex parte* rule (47 C.F.R. § 1.1208).¹¹

Mock Auction: All applicants found to be qualified bidders are eligible to participate in a mock electronic auction on **Thursday, April 22, 1999**. The Bureau will issue a Public Notice announcing when software for the mock auction is posted on the World Wide Web and BBS.

Remote Bidding Software: Applicants are reminded that qualified bidders are eligible to bid either electronically or telephonically. To order the remote bidding software, applicants should complete the software order form attached to this Public Notice as Attachment C. To ensure timely delivery of remote bidding software before the auction begins, the Commission requests receipt of software orders by 5:30 p.m. ET on **Tuesday, April 13, 1999**. Attachment D to this Public Notice sets out the hardware and software specifications required for the FCC remote bidding system.

Long-Form Applications: All applicants should be aware that at the long-form application stage, they will be subject to the more extensive reporting requirements contained in the Commission's Part 1 ownership disclosure rule.¹²

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

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

¹⁰ See 47 C.F.R. §§ 1.2105(c), 1.2107(d), and 1.2109(d).

¹¹ See 47 C.F.R. § 1.1202(d) note (1); see also "Commission Announces that Mutually Exclusive 'Short-Form' Applications (Form 175) to Participate in Competitive Bidding Process ('Auctions') Are Treated as Exempt for Ex Parte Purposes." *Public Notice*, 9 FCC Rcd 6760 (1994).

¹² See 47 C.F.R. § 1.2112(b).

perform their individual due diligence before proceeding as they would with any new business venture.

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

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

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

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) REQUIREMENTS

Licensees must comply with the Commission's rules regarding the National Environmental Policy Act (NEPA). The construction of a wireless antenna facility is a federal action and licensees must comply with the Commission's NEPA rules for each wireless facility.¹³ The Commission's NEPA rules require that, among other things, licensees consult with expert agencies having NEPA responsibilities including the U.S. Fish and Wildlife Service, the State Historic Preservation Office, the Army Corp of Engineers and the Federal Emergency Management Agency (through the local authority with jurisdiction over floodplains). Licensees must prepare environmental assessments for wireless facilities that may have a significant impact in or on wilderness areas, wildlife preserves, threatened or endangered species or designated critical habitats, historical or archeologic sites, Indian religious sites, floodplains, and surface features. Licensees must also prepare environmental assessments for wireless facilities that include high intensity white lights in residential neighborhoods or excessive radiofrequency emission.

* * * * *

CONTACT INFORMATION

For questions about payment or instructions for wiring upfront payments, contact Gail Glasser or Linwood Jenkins, Billing and Collections Branch, at (202) 418-1995. For specific questions about an applicant's incomplete status, the applicant should contact the designated attorney identified in the correspondence sent to the applicants by overnight mail. For additional information, contact: Arthur Lechtman, Legal Branch at (202) 418-0660 (regarding legal questions); Lisa Stover or Kathy Garland, Auctions Operations at (717) 338-2888 (regarding bidding and general filing status); and Tim Salmon, Auctions Operation at (202) 418-0660 (regarding bidding and auction design). For information regarding FCC rules concerning compliance with the National Environmental Policy Act (NEPA), please contact Frank Stilwell or Rose Crellin, at (202) 418-0569. For technical questions regarding filing software, call FCC technical support at (202) 414-1250.

- FCC -

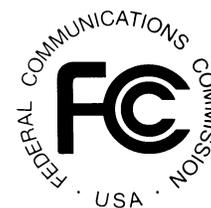
¹³ See 47 C.F.R. 1.1305-1.1319.

FCC Local Multipoint Dist Services Auction

ATTACHMENT A

Form 175 Accepted List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

The following Form 175 Applicants have been judged 'Acceptable' and have applied for the following licenses:

FCC Account #	Name	Waiver Requested
0231506321	ABC-LMDS, L.L.C.	
The following License(s):		
ALL		
0231455473	ABS LMDS Venture	
The following License(s):		
ALL		
0231831149	Ace Link Telecommunication, Inc.	
The following License(s):		
BTA123-A BTA234-A BTA285-A BTA378-B BTA446-A BTA462-B		
0231045326	Adams Telcom, Inc.	
The following License(s):		
BTA367-A		
0231555571	Airlinx, G.P.	
The following License(s):		
BTA066-A BTA066-B BTA067-B BTA109-B BTA308-B BTA426-A BTA426-B		
0231450267	Alma Telephone Company	
The following License(s):		
BTA066-A BTA066-B BTA090-A BTA217-A BTA217-B BTA355-A BTA355-B BTA367-A BTA383-A BTA383-B BTA414-A BTA414-B BTA470-A BTA470-B		
0230021076	American Pacific Inc.	
The following License(s):		
ALL		
0231205556	Antilles Wireless Cable TV Co.	
The following License(s):		
BTA488-A BTA489-A		
0231217058	Bluegrass Telecom, L.L.C.	
The following License(s):		
BTA006-A BTA048-A BTA052-A BTA082-A BTA092-A BTA120-A BTA160-A BTA211-A BTA271-A BTA295-A		

FCC Local Multipoint Dist Services Auction

ATTACHMENT A

Form 175 Accepted List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

The following Form 175 Applicants have been judged 'Acceptable' and have applied for the following licenses:

FCC Account #	Name	Waiver Requested
0231217058	Bluegrass Telecom, L.L.C.	
The following License(s):		
BTA339-A	BTA384-A	BTA454-A BTA474-A
0231539296	Broadband Wireless Inc.	
The following License(s):		
ALL		
0232336008	C&W Systems, Ltd.	
The following License(s):		
BTA002-A	BTA036-A	BTA097-B BTA124-A BTA134-A BTA134-B BTA203-A BTA218-A BTA291-A BTA303-B
BTA331-A	BTA356-B	BTA371-B
0231212153	CRH Consortium	
The following License(s):		
ALL		
0231215227	CTC Telcom, Inc.	
The following License(s):		
BTA123-A	BTA234-A	
0231404218	Cellular Mobile Systems of St. Cloud General Part	
The following License(s):		
BTA005-B	BTA033-B	BTA061-A BTA070-B BTA117-A BTA122-A BTA142-B BTA164-A BTA185-B BTA209-B
BTA254-B	BTA270-A	BTA270-B BTA277-B BTA285-A BTA307-B BTA310-B BTA323-A BTA337-A BTA352-A
BTA416-A	BTA446-A	BTA462-B
0231704522	Cloudnine Communications, Inc.	
The following License(s):		
ALL		
0230931433	Command Connect, LLC	
The following License(s):		
ALL		

FCC Local Multipoint Dist Services Auction

ATTACHMENT A

Form 175 Accepted List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

The following Form 175 Applicants have been judged 'Acceptable' and have applied for the following licenses:

FCC Account #	Name	Waiver Requested
0230753252	Commonwealth Development Ltd.	
The following License(s):		
ALL		
0231636174	DGL Telcom, Inc.	
The following License(s):		
ALL		
0231555516	DataLines USA	
The following License(s):		
BTA063-A BTA352-A BTA453-A BTA463-A		
0231205073	Duckhorn Broadcasting, Inc.	
The following License(s):		
ALL		
0231633464	EER Systems Incorporated	
The following License(s):		
BTA002-A BTA020-A BTA054-A BTA062-A BTA066-A BTA071-A BTA090-A BTA100-A BTA103-A BTA117-A BTA131-A BTA147-A BTA161-A BTA165-A BTA176-A BTA178-A BTA203-A BTA213-A BTA214-A BTA217-A BTA218-A BTA225-A BTA243-A BTA287-A BTA316-A BTA317-A BTA326-A BTA328-A BTA330-A BTA331-A BTA335-A BTA355-A BTA367-A BTA377-A BTA380-A BTA382-A BTA383-A BTA384-A BTA416-A BTA426-A BTA470-A BTA478-A		
0231422317	ENMR Telephone Cooperative, Inc.	
The following License(s):		
BTA115-A BTA124-A BTA134-A BTA134-B BTA144-B BTA162-A BTA162-B BTA201-A BTA218-A BTA244-B BTA291-A BTA303-B BTA326-A BTA330-A BTA371-B BTA449-A BTA486-A		
0231350115	Eastern Illini Electric Cooperative	
The following License(s):		
BTA071-A BTA103-A BTA225-A		

FCC Local Multipoint Dist Services Auction

ATTACHMENT A

Form 175 Accepted List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

The following Form 175 Applicants have been judged 'Acceptable' and have applied for the following licenses:

FCC Account #	Name	Waiver Requested
0231146021	Farmers Telephone Cooperative, Inc.	
The following License(s):		
BTA147-A		
0231429059	Fleming-Mason Service Corporation	
The following License(s):		
ALL		
0231247488	Gila Electronics of Yuma, Inc.	
The following License(s):		
BTA486-A		
0231244125	Grand Connectivity L.L.C.	
The following License(s):		
ALL		
0231414267	HighSpeed.Com, L.L.C.	
The following License(s):		
ALL		
0231206296	Highland Cellular, Inc.	
The following License(s):		
ALL		
0231522228	Hyperion Communications Long Haul, L.P.	
The following License(s):		
ALL		
0231041503	IVD Holdings, L.L.C.	
The following License(s):		
ALL		
0231419405	Illinois LMDS Consortium	
The following License(s):		
BTA046-B BTA061-A BTA067-B BTA070-B BTA071-A BTA086-A BTA086-B BTA103-A BTA105-A BTA109-B BTA118-A BTA161-A BTA213-A BTA225-A BTA243-A BTA308-B BTA337-A BTA344-A BTA344-B BTA380-A		

FCC Local Multipoint Dist Services Auction

ATTACHMENT A

Form 175 Accepted List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

The following Form 175 Applicants have been judged 'Acceptable' and have applied for the following licenses:

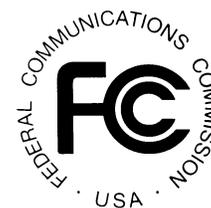
FCC Account #	Name	Waiver Requested
0231419405	Illinois LMDS Consortium	
The following License(s):		
BTA426-A BTA426-B BTA462-B		
0232012473	Kingdon R. Hughes	
The following License(s):		
ALL		
0231447396	LMDS Ventures	
The following License(s):		
ALL		
0231806197	LORALEN CORP LLC	
The following License(s):		
ALL		
0231703467	Madison County Telephone Company	
The following License(s):		
BTA140-A BTA153-A		
0231535044	Mark Twain Communications Company, Inc.	
The following License(s):		
BTA016-A BTA066-A BTA066-B BTA090-A BTA090-B BTA217-A BTA217-B BTA319-A BTA355-A BTA355-B BTA367-A BTA383-A BTA383-B BTA414-A BTA414-B BTA453-A BTA463-A BTA470-A BTA470-B		
0231540182	McLeodUSA, Incorporated	
The following License(s):		
ALL		
0231553224	Moline Dispatch Publishing Company, L.L.C.	
The following License(s):		
BTA103-A BTA105-A BTA118-A BTA195-A BTA225-A BTA243-A BTA363-B BTA378-B BTA380-A		

FCC Local Multipoint Dist Services Auction

ATTACHMENT A

Form 175 Accepted List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

The following Form 175 Applicants have been judged 'Acceptable' and have applied for the following licenses:

FCC Account #	Name	Waiver Requested
0230847369	NORTHEAST COMMUNICATIONS OF WISCON:	
	The following License(s):	
	ALL	
0232056579	Navis Group, LLC	
	The following License(s):	
	ALL	
0231644293	Network Wireless	
	The following License(s):	
	ALL	
0231650248	New Wave Networks, L.L.C.	
	The following License(s):	
	ALL	
0231514435	Northern Communications, Inc.	
	The following License(s):	
	BTA020-A BTA054-A BTA063-A BTA119-A BTA123-A BTA145-B BTA169-B BTA216-A BTA223-B BTA234-A BTA241-B BTA331-A BTA390-A BTA488-A BTA489-A	
0231546288	PIONEER CONSOLIDATED, INC.	
	The following License(s):	
	ALL	
0231302116	Pikeville College	
	The following License(s):	
	BTA052-A BTA295-A BTA474-A	
0231755003	PinPoint Communications, Inc.	
	The following License(s):	
	BTA185-B BTA270-A BTA270-B	

FCC Local Multipoint Dist Services Auction

ATTACHMENT A

Form 175 Accepted List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

The following Form 175 Applicants have been judged 'Acceptable' and have applied for the following licenses:

FCC Account #	Name	Waiver Requested
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0231104194 Pioneer Telephone Association, Inc.

The following License(s):

ALL

0230916436 Progressive Communications, Inc.

The following License(s):

ALL

0231835435 Rainier Cable, Inc.

The following License(s):

ALL

0231535279 S&S Communications

The following License(s):

ALL

0231140196 South Central Wireless, Inc.

The following License(s):

BTA011-B BTA017-A BTA035-A BTA039-B BTA146-A BTA163-B BTA178-A BTA215-A BTA249-A BTA335-A
BTA351-A BTA392-B BTA396-A

0231906179 TeleCourier Communications Corp.

The following License(s):

ALL

0231854404 Townes Telecommunications, Inc.

The following License(s):

ALL

0231531225 VERSO LMDS, LLC

The following License(s):

ALL

FCC Local Multipoint Dist Services Auction

ATTACHMENT A

Form 175 Accepted List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

The following Form 175 Applicants have been judged 'Acceptable' and have applied for the following licenses:

FCC Account #	Name	Waiver Requested
0231501364	Valley Telephone Cooperative, Inc.	
The following License(s):		
BTA121-A	BTA153-A	BTA193-A BTA348-A BTA456-A
0231417121	Virginia Tech Foundation, Inc.	
The following License(s):		
BTA016-A	BTA020-A	BTA035-A BTA048-A BTA062-A BTA082-A BTA100-A BTA117-A BTA141-A BTA147-A
BTA156-A	BTA165-A	BTA176-A BTA178-A BTA203-A BTA214-A BTA218-A BTA316-A BTA317-A BTA328-A
BTA335-A	BTA377-A	BTA382-A BTA430-A BTA478-A
0231246148	Voom Communications, L.L.C.	
The following License(s):		
BTA062-A	BTA097-B	BTA100-A BTA141-A BTA147-A BTA156-A BTA158-A BTA165-A BTA176-A BTA214-A
BTA227-A	BTA316-A	BTA377-A BTA382-A
0231211592	West Carolina Rural Telephone Cooperative, Inc.	
The following License(s):		
BTA016-A	BTA178-A	
0231149033	Westelcom Network, Inc.	
The following License(s):		
ALL		
0231644401	Western CLEC Corporation	
The following License(s):		
ALL		
0231621354	Western PCS LMDS Corporation	
The following License(s):		
ALL		
0231525126	Wytec, Incorporated	
The following License(s):		
ALL		

FCC Local Multipoint Dist Services Auction

ATTCHMENT B

Form 175 Incomplete List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

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

FCC Account #	Name	Error Description	Waiver Requested
0231933155	Actel Corporation	Invalid Attachments	
0231323041	AirCom Communication Consultants, Inc.	Invalid Attachments	
0231227413	CCPR LMDS, Inc.	Invalid Attachments	
0231448134	Central Indiana Communications, Inc.	Invalid Attachments	
0231647598	Chariton Valley Communication Corporati	Invalid Attachments	
0231555303	Codecom, Inc.	Invalid Attachments	
0231756384	ComScape Communications, Inc.	Invalid Attachments	
0231156134	Corrcom, LLC (f/k/a North Alabama Cellul	Invalid Attachments	
0231205426	Digispan, Inc.	Invalid Attachments	
0231115419	Dubois Telephone Exchange, Inc.	Invalid Attachments	
0231139384	FWC-LMDS, LLC	Invalid Attachments	

FCC Local Multipoint Dist Services Auction

ATTCHMENT B

Form 175 Incomplete List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

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

FCC Account #	Name	Error Description	Waiver Requested
0231825595	Formus Communications-FCC, LLC	Invalid Attachments	
0231506121	Gateway Telecom, L.L.C.	Invalid Attachments	
0231046499	Graceba Total Communications, Inc.	Invalid Attachments	
0231403047	Grande River LMDS Venture	Invalid Attachments	
0230836332	KINI L.C.	Invalid Attachments	
0231205081	LMDS Communications Inc.	Invalid Attachments	
0231409307	Landmark Site Development, LLC	Invalid Attachments	
0231808306	Lightspeed Communications, LP	Invalid Attachments	
0231127435	Mary J Kuiken	Invalid Attachments	
0231103494	Message Express Company	Invalid Attachments	
0230830457	Midwest Wireless Communications, L.L.C.	Invalid Attachments	

FCC Local Multipoint Dist Services Auction

ATTCHMENT B

Form 175 Incomplete List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

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

FCC Account #	Name	Error Description	Waiver Requested
0231403565	Miles Communications, Inc.	Invalid Attachments	
0232017532	NettWork Consulting, LLC	Invalid Attachments	
0230941038	New England Digital Distribution, Inc.	Invalid Attachments	
0231600599	Planet Systems, Inc.	Invalid Attachments	
0231749433	SouthernSkies Communications Group, In	Invalid Attachments	
0231221358	Sunshine LMDS Network, Inc.	Invalid Attachments	
0231320186	Swayzee Telephone Company	Invalid Attachments	
0231638241	TLA Spectrum, LLC	Invalid Attachments	
0230819365	Telepak, Inc.	Invalid Attachments	
0231247509	The Ponderosa Telephone Co.	Invalid Attachments	
0231642435	Totalcom of Oklahoma, Inc.	Invalid Attachments	

FCC Local Multipoint Dist Services Auction

ATTCHMENT B

Form 175 Incomplete List (Initial)

Auction ID: 23



(Sorted by Applicant)

Date of Report: 4/5/99

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

FCC Account #	Name	Error Description	Waiver Requested
0231048049	Touch America, Inc.	Invalid Attachments	
0232042279	WIRELESS DISTRIBUTION SERVICES II	Invalid Attachments	
0232242098	William Chimiak	Invalid Attachments	

Attachment C

**FCC REMOTE BIDDING SOFTWARE ORDER FORM:
Local Multipoint Distribution Service Auction**

Bidders are free to copy the software for use by authorized bidders at different locations, but the FCC auction system will accept electronic bids only from bidders who have purchased the software. Since bidding software is tailored to a specific auction, software from prior auctions will not work for Auction No. 23.

The price of the FCC Remote Bidding Software is **\$175.00**, including a user manual and shipping. To order, complete the form below and return no later than 5:30 p.m. ET on **Tuesday, April 13, 1999**, to:

FCC Bidding Software, Auction No. 23
Auction Operations Branch
1270 Fairfield Road
Gettysburg, PA 17325-7245
FAX: 717-338-2850

For security purposes, software packages will be sent with other registration materials only to the contact person at the applicant address specified on the FCC Form 175. **NO EXCEPTIONS.**

Auction applicant: _____
FCC Assigned Account No.: _____
Phone: _____
Fax: _____
Fax Modem No.: _____

Payment of \$ **175.00** US (payable to "FCC") by:

check enclosed Visa MasterCard

Type: 3.5 diskette CD-Rom

Note that an Operating System of Win 95 or above is required.

Credit card number _____ Expiration date _____

Name on card _____

Authorized signature _____ Date _____

Attachment D

FCC Remote Bidding System Hardware and Software Requirements

At a minimum, bidders need the following hardware and software:

- CPU: Intel® Pentium or above
- RAM: 16 MB (more recommended if you have multiple applications open)
- Hard Disk: 33 MB available disk space
- 1.44 MB Floppy Drive or CD-ROM Drive (to install the Remote Bidding System)
- Modem: v.32bis 14.4 kbps Hayes© compatible modem or faster
- Monitor: VGA or above
- Mouse or other pointing device
- Microsoft® Windows 95™ or Microsoft® Windows 98™
- Netscape® Communicator™ 4.5 is recommended. However, you can also use Netscape Communicator 4.08, 4.07, 4.06 or 4.05 with JDK 1.1. Note: To download Netscape Communicator 4.5 free of charge, access the Netscape download site at <http://home.netscape.com/download/>

For questions regarding the above, please contact Technical Support at (202) 414-1250.