



PUBLIC NOTICE

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DA 99-2355

October 28, 1999

Clarification Regarding the Resumption of Hearing Proceeding In MM Docket No. 88-577 To Consider Winning Bidder's Basic Qualifications And To Clarify Amendment Procedures

On October 12, 1999, the Wireless Telecommunications Bureau and the Mass Media Bureau released a *Public Notice*, DA 99-2153, announcing the close of Broadcast Auction No. 25, identifying the winning bidders in that auction, and, *inter alia*, specifying the procedures for filing minor amendments to the long-form applications. This Public Notice clarifies in two respects the post-auction procedures to be followed by the winning bidder in FM Market 84 (Biltmore Forest, North Carolina). First, now that the down, payment deadline, for Auction 25, has the hearing proceeding in Docket No. MM Docket No. 88-577, having previously been stayed pending the outcome of the auction,¹ will resume to permit resolution of a basic qualifications issue involving Liberty in accordance with the Commission's routine adjudicatory procedures.² Second, although any necessary minor amendments to Liberty's long-form application should be filed by 7:00 p.m. et, November 12, 1999, it is clarified that there will be no further opportunity for the filing of petitions to deny, and that the filing of any new petitions to enlarge issues will be governed by 47 C.F.R. § 1.229 of the Commission's rules.³

¹ *Liberty Productions*, 14 FCC Rcd. 7637, 7640 ¶ 6 (OGC 1999).

² See *Implementation of 309(j) of the Communications Act -- Competitive Bidding Commercial Broadcast and Instructional Television Fixed Services* (First Report and Order), 13 FCC Rcd 15920, 15955 ¶ 97 (1998).

³ *Id.* at 15956 ¶ 98.