



PUBLIC NOTICE

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

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DA 00-1383
June 23, 2000

Notice and Filing Requirements Regarding July 31 through August 4, 2000 Limited Low Power Television/Television Translator/Class A Television Auction Filing Window

Report No. AUC-00-81-A (Auction No. 81)

The Mass Media Bureau (MMB) and the Wireless Telecommunications Bureau (WTB) announce the scheduling of an auction filing window for certain low power television, television translator, and Class A television broadcast stations. Commencing July 31, 2000, and continuing to and including August 4, 2000, the Commission will permit the filing of applications for new construction permits and for major changes in existing facilities for low power television and television translator stations (LPTV). The Commission also will permit in this auction window the filing of applications for major changes in the facilities of authorized Class A television stations; that is, stations for which a Class A TV construction permit or license has been issued.¹ Mutually exclusive proposals will be considered under the Commission's competitive bidding procedures.²

¹ On March 28, 2000, the Commission established a Class A Television Service to implement the Community Broadcasters Protection Act of 1999 (CPBA). See *Report and Order* in MM Docket No. 00-10, 15 FCC Rcd 6355 (2000). Pursuant to the CPBA, the Class A TV service provides a measure of "primary" regulatory status to qualifying low power television stations, including some of the interference protections afforded to full-service television stations. Applications for **initial** Class A TV authority are not subject to this window and may be filed at any time within the six-month period beginning on the date the Class A *Report and Order* became effective, namely June 2, 2000.

² See *Implementation of Section 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Fixed Service Licenses, First Report and Order*, MM Docket No. 97-234, 13 FCC Rcd 15920 (1998) ("*Broadcast First Report and Order*").

Major Facilities Changes: A major change for LPTV and Class A TV stations is a change in frequency (output channel), except a change in offset carrier frequency. For this filing window, a major change is also any facilities change(s) that would increase the distance in any directional to a station's protected signal contour.³ A channel change application filed by a Class A TV licensee, which is necessitated by channel displacement, is also considered a major change application. Such Class A TV displacement applications, which can be filed on a first-come, first-served basis and are not subject to mutually exclusive Class A TV, LPTV, and TV translator non-displacement applications,⁴ can also be submitted during this auction filing window.

Geographic Restrictions: This auction filing window is subject to geographic restrictions on the filing of applications for new station construction permits **and** for major changes in existing facilities. The Commission will permit applications that specify transmitting antenna site coordinates (geographic latitude and longitude) located more than 121 kilometers (75 miles) from the reference coordinates of the cities listed in Attachment A to this Public Notice. These restrictions are necessitated by the Commission's implementation of the digital television (DTV) service and by the large number of LPTV stations already authorized in and around these cities. By this window, the Commission seeks to provide additional opportunities for low power TV and TV translator service in those rural areas of the country where there is relatively less free over-the-air television service. However, geographic restrictions are necessary to minimize the extent to which LPTV or TV translator service is disrupted by existing or future DTV station operations.⁵

Notwithstanding the above, the Commission will consider requests for waiver of the geographic restrictions based on terrain shielding. Such waivers will be granted where applicants demonstrate that their proposed facilities are completely shielded by terrain barriers

³ The Class A TV *Report and Order* provides a more inclusive definition of minor facilities changes for Class A TV, low power TV and TV translator stations; for example, increases in station power will be considered minor changes. However, the more inclusive minor change provision will not take effect until October 1, 2000.

⁴ See Class A *Report and Order*, 15 FCC Rcd at 6400-01.

⁵ Low power TV and TV translator stations and, to a lesser extent, Class A TV stations have a secondary status with regard to the introduction of DTV service. Since June 1, 1998, the Commission has received more than 1800 "displacement relief" applications seeking replacement channels and/or other facilities changes to avoid DTV conflicts or to vacate the use of channels 60-69, which have been reallocated for other uses and must be surrendered by the end of the DTV transition period. More than 300 DTV facilities have been authorized and approximately 130 stations are now operating. The Commission's DTV buildout schedule requires that all commercial stations be operational by May 1, 2002; noncommercial DTV stations must be operational by May 1, 2003. Additionally, hundreds of LPTV and TV translator stations will be required to seek replacement channels below channel 52 when channels 52-69, are no longer available for their use.

from the applicable television market cities listed in Attachment A. Through this extension of the Commission's policy on terrain shielding (*See Policy Statement*, 3 FCC Rcd 2664, *reconsideration granted in part*, 3 FCC Rcd 7105 (1988)), opportunities will not be foreclosed for additional low power TV and TV translator service in locales that are completely insulated from TV signals emanating from the applicable TV market cities due to substantial terrain obstructions; for example, large mountain ranges in the western states. Requests for terrain-related waivers, which will be filed subsequently at the direction of the Commission, must be supported by an appropriate number of profiles showing the terrain between the proposed community of service and the applicable TV market cities, and indicating that the signals of full-service stations in these cities cannot be directly received in the proposed community. Guidance for preparing terrain profiles is given in the Commission's terrain *Policy Statement*. Alternatively, applicants may demonstrate terrain shielding using the Longley-Rice terrain dependent signal propagation prediction methods.

Participation: Those wishing to participate in the auction *must*:

- File electronically a short form application (FCC Form 175) by 5:30 p.m. Eastern Standard Time, August 4, 2000. See Attachments B, C, and D for more information regarding the completion of Form 175, including information on bidding credits and designated entities.
- For LPTV and Television Translator proposals: File a **paper copy**, in triplicate, with the Secretary of the Commission the following portions of **FCC Form 346** (June 2000 version): Section I, the Tech Box portion of Section III and Question 12 of Section III. For Class A Television proposals: File a **paper copy**, in triplicate, with the Secretary of the Commission the following portions of **FCC Form 301-CA** (June 2000 version): Section I and the Tech Box portion of Section III. **Neither older versions nor electronically filed versions of FCC Form 346 or FCC Form 301-CA will be accepted.** A printed copy of Form 175 should be attached to the Form 346 or 301-CA submission. The Form 346 or 301-CA, with the attached Form 175, is due to the Commission in hard copy by 5:30 p.m. Eastern Standard Time, August 4, 2000. No fee is required. See Attachment B for more information regarding the completion of Forms 346 and 301-CA.
- Comply with all provisions outlined in this Public Notice and applicable rules of the Commission.

No consideration will be given any proposal for which the required engineering information is not on file by the close of the window.

For additional information, contact Shaun Maher (legal) or Hossein Hashemzadeh (technical), Video Services Division, Mass Media Bureau at (202) 418-1600.

List of Attachments:

- Attachment A: Geographic Restrictions
- Attachment B: Pre-Auction Procedures
- Attachment C: Guidelines for Completion of FCC Form 175 and Exhibits
- Attachment D: Eligibility for New Entrant Bidding Credit; Ownership Disclosure Requirements; Consortia and Joint Bidding Arrangements
- Attachment E: Electronic Filing and Review of the FCC Form 175
- Attachment F: Accessing the FCC Network Using Windows 95/98

ATTACHMENT A

Except as provided in this Public Notice, applications filed in this window may not propose new or modified facilities located within 121 kilometers (75 miles) of the reference coordinates listed below for the following cities.

Source of cities: January 1, 2000 Nielsen Media Research Estimates.

Source of coordinates: Section 76.53 of FCC Rules or, as indicated by **, the U.S. Geological Survey.

New York, NY	40-45-06	073-59-39
Los Angeles, CA	34-03-15	118-14-28
Chicago, IL	41-52-28	087-38-22
Philadelphia, PA	39-56-58	075-09-21
San Francisco, CA	37-46-39	122-24-40 *
Oakland, CA	37-48-03	122-15-54 *
San Jose, CA	37-20-16	121-53-24 *
Boston, MA	42-21-24	071-03-25
Dallas, TX	32-47-09	096-47-37 *
Fort Worth, TX	32-44-55	097-19-44 *
Washington, DC	38-53-51	077-00-33
Detroit, MI	42-19-48	083-02-57
Atlanta, GA	33-45-10	084-23-37
Houston, TX	29-45-26	095-21-37
Seattle, WA	47-36-32	122-20-12 *
Tacoma, WA	47-14-59	122-26-15 *
Tampa, FL	27-56-58	082-27-26 *
St. Petersburg, FL	27-46-18	082-38-16 *
Minneapolis, MN	44-58-57	093-15-43 *
St. Paul, MN	44-56-50	093-05-11 *
Cleveland, OH	41-29-51	081-41-50
Miami, FL	25-46-37	080-11-32 *
Fort Lauderdale, FL	26-07-11	080-08-34 *
Phoenix, AZ	33-27-12	112-04-28
Denver, CO	39-44-58	104-59-22
Sacramento, CA	38-34-57	121-29-41 *
Stockton, CA	37-57-30	121-17-16 *
Modesto, CA	37-38-26	120-59-44 *
Pittsburgh, PA	40-26-19	080-00-00
St. Louis, MO	38-37-45	090-12-22
Orlando, FL	28-32-42	081-22-38 *
Daytona Beach, FL	29-12-44	081-01-10 *
Melbourne, FL	28-04-41	080-36-29 *
Portland, OR	45-31-06	122-40-35
Baltimore, MD	39-17-26	076-36-45
San Diego, CA	32-42-53	117-09-21
Indianapolis, IN	39-46-07	086-09-46
Hartford, CT	41-46-12	072-40-49 *

New Haven, CT	41-18-25	072-55-30 *	
Charlotte, NC	35-13-44	080-50-45	
Raleigh, NC	35-46-38	078-38-21 *	
Durham, NC	35-59-48	078-54-00 *	
Nashville, TN	36-09-33	086-46-55	
Kansas City, MO	39-04-56	094-35-20	
Cincinnati, OH	39-06-07	084-30-35	
Milwaukee, WI	43-02-19	087-54-15	
Columbus, OH	39-57-47	083-00-17	
Greenville, SC	34-50-50	082-24-01 *	
Spartanburg, SC	34-57-03	081-56-06 *	
Asheville, NC	35-35-42	082-33-26 *	
Anderson, SC	34-30-06	082-38-54 *	
Salt Lake City, UT	40-45-23	111-53-26	
San Antonio, TX	29-25-37	098-29-06	
Grand Rapids, MI	42-58-03	085-40-13 *	
Kalamazoo, MI	42-17-29	085-35-14 *	
Battle Creek, MI	42-18-58	085-10-48 *	
Birmingham, AL	33-31-01	086-48-36	
Memphis, TN	35-08-46	090-03-13	
New Orleans, LA	29-56-53	090-04-10	
Norfolk, VA	36-51-10	076-17-21 *	
Portsmouth, VA	36-50-12	076-17-54 *	
Newport News, VA	36-58-43	076-25-42 *	**
West Palm Beach, FL	26-42-36	080-03-05 *	
Ft. Pierce, FL	27-26-48	080-19-38 *	
Buffalo, NY	42-52-52	078-52-21	
Oklahoma City, OK	35-28-26	097-31-04	
Harrisburg, PA	40-15-43	076-52-59 *	
Lancaster, PA	40-02-25	076-18-29 *	
Lebanon, PA	40-20-27	076-24-42 *	**
York, PA	39-57-35	076-43-36 *	
Greensboro, NC	36-04-17	079-47-25 *	
High Point, NC	35-57-14	080-00-15 *	
Winston-Salem, NC	36-05-52	080-14-42 *	
Louisville, KY	38-14-47	085-45-49	
Albuquerque, NM	35-05-01	106-39-05 *	
Santa Fe, NM	35-41-13	105-56-41 *	**
Providence, RI	41-49-32	071-24-41 *	
New Bedford, MA	41-38-13	070-55-41 *	
Wilkes Barre, PA	41-14-32	075-53-17 *	
Scranton, PA	41-24-32	075-39-46 *	
Jacksonville, FL	30-19-44	081-39-42 *	
Brunswick, GA	31-08-59	081-29-30 *	**
Las Vegas, NV	36-10-20	115-08-37	
Fresno, CA	36-44-12	119-47-11 *	
Visalia, CA	36-19-46	119-17-30 *	
Albany, NY	42-39-01	073-45-01 *	
Schenectady, NY	42-48-52	073-56-24 *	

Troy, NY	42-43-42	073-41-32 *	**
Dayton, OH	39-45-32	084-11-43	
Little Rock, AR	34-44-42	092-16-37 *	
Pine Bluff, AR	34-13-42	092-00-11 *	**
Tulsa, OK	36-09-12	095-59-34	
Charleston, WV	38-21-01	081-37-52 *	
Huntington, WV	38-25-12	082-26-33 *	
Richmond, VA	37-32-15	077-26-09 *	
Petersburg, VA	37-13-40	077-24-15 *	
Austin, TX	30-16-09	097-44-37	
Mobile, AL	30-41-36	088-02-33 *	
Pensacola, FL	30-24-51	087-12-56 *	
Knoxville, TN	35-57-39	083-55-07	
Flint, MI	43-00-50	083-41-33	
Saginaw, MI	43-25-52	083-56-05 *	
Bay City, MI	43-36-04	083-53-15 *	
Wichita, KS	37-41-30	097-20-16 *	
Hutchinson, KS	38-03-11	097-55-20 *	
Lexington, KY	38-02-50	084-29-46	
Toledo, OH	41-39-14	083-32-39	
Roanoke, VA	37-16-13	079-56-44 *	
Lynchburg, VA	37-24-51	079-08-37 *	
Green Bay, WI	44-30-48	088-00-50 *	
Appleton, WI	44-15-43	088-24-55 *	**
Des Moines, IA	41-35-14	093-37-00 *	
Ames, IA	42-01-36	093-36-44 *	
Honolulu, HI	21-18-36	157-51-48	
Tucson, AZ	32-13-15	110-58-08	
Omaha, NE	41-15-42	095-56-14	
Paducah, KY	37-05-13	088-35-56 *	
Cape Girardeau, MO	37-18-29	089-31-29 *	
Harrisburg, IL	37-44-20	088-32-25 *	
Mount Vernon, IL	38-18-29	088-54-26 *	
Shreveport, LA	32-30-46	093-44-58	
Syracuse, NY	43-03-04	076-09-14	
Rochester, NY	43-09-41	077-36-21	
Spokane, WA	47-39-32	117-25-33	
Springfield, MO	37-13-03	093-17-32	
Portland, ME	43-39-33	070-15-19 *	
Auburn, ME	44-05-52	070-13-54 *	**
Fort Myers, FL	26-38-42	081-52-06 *	
Naples, FL	26-08-30	081-47-42 *	**
Huntsville, AL	34-44-18	086-35-19 *	
Decatur, AL	34-36-35	086-58-45 *	
Champaign, IL	40-07-05	088-14-48 *	
Springfield, IL	39-47-58	089-38-51 *	
Decatur, IL	39-50-37	088-57-11 *	
Chattanooga, TN	35-02-41	085-18-32	
Madison, WI	43-04-23	089-22-55	

Columbia, SC	34-00-02	081-02-00	
South Bend, IN	41-40-33	086-15-01 *	
Elkhart, IN	41-40-56	085-58-15 *	
Davenport, IA	41-31-24	090-34-21 *	
Rock Island, IL	41-30-40	090-34-24 *	
Moline, IL	41-30-31	090-30-49 *	
Jackson, MS	32-17-56	090-11-06	
Cedar Rapids, IA	41-58-48	091-39-48 *	
Waterloo, IA	42-29-40	092-20-20 *	
Dubuque, IA	42-29-55	090-40-08 *	
Burlington, VT	44-28-34	073-12-46 *	
Plattsburgh, NY	44-42-03	073-27-07 *	
Bristol, VA	36-35-48	082-11-04 *	
Kingsport, TN	36-32-57	082-33-44 *	
Johnson City, TN	36-19-04	082-20-56 *	
Colorado Springs, CO	38-50-07	104-49-16 *	
Pueblo, CO	38-16-17	104-36-33 *	
Waco, TX	31-33-12	097-08-00 *	
Temple, TX	31-06-02	097-20-22 *	
Bryan, TX	30-38-48	096-21-31 *	
Johnstown, PA	40-19-35	078-55-03 *	
Altoona, PA	40-30-55	078-24-03 *	
El Paso, TX	31-45-36	106-29-11	
Baton Rouge, LA	30-26-58	091-11-00	
Evansville, IN	37-58-20	087-34-21	
Youngstown, OH	41-05-57	080-39-02	
Savannah, GA	32-04-42	081-05-37	
Lincoln, NE	40-48-59	096-42-15 *	
Hastings, NE	40-35-21	098-23-20 *	
Kearney, NE	40-41-58	099-04-53 *	
Harlingen, TX	26-11-29	097-41-35 *	
Weslaco, TX	26-09-24	097-59-33 *	
Brownsville, TX	25-54-05	097-29-50 *	**
McAllen, TX	26-11-29	097-41-35 *	**
Fort Wayne, IN	41-04-21	085-08-26	
Charleston, SC	32-46-35	079-55-53	
Springfield, MA	42-06-21	072-35-32 *	
Holyoke, MA	42-12-15	072-37-00 *	**
Greenville, NC	35-36-49	077-22-22 *	
New Bern, NC	35-06-33	077-02-23 *	
Washington, NC	35-32-35	077-03-16 *	
Lansing, MI	42-44-01	084-33-15	
Tyler, TX	32-21-21	095-17-52 *	
Longview, TX	32-28-24	094-43-45 *	
Tallahassee, FL	30-26-30	084-16-50 *	
Thomasville, GA	30-50-25	083-58-59 *	
Peoria, IL	40-41-42	089-35-33 *	
Bloomington, IL	40-28-58	088-59-32 *	
Reno, NV	39-31-27	119-48-40	

Monterey, CA	36-35-44	121-53-39 *	
Salinas, CA	36-40-24	121-39-25 *	
Santa Barbara, CA	34-25-18	119-41-55 *	
Santa Maria, CA	34-57-02	120-26-10 *	
San Luis Obispo, CA	35-16-49	120-39-34 *	
Sioux Falls, SD	43-32-35	096-43-35	
Augusta, GA	33-28-20	081-58-00	
Florence, SC	34-11-49	079-46-06 *	
Myrtle Beach, SC	33-41-20	078-53-13 *	**
Montgomery, AL	32-22-33	086-18-31	
Fort Smith, AR	35-23-10	094-25-36 *	
Fayetteville, AR	36-03-41	094-09-38 *	**
Springdale, AR	36-11-12	094-07-43 *	**
Rogers, AR	36-19-55	094-07-06 *	**
Fargo, ND	46-52-30	096-47-18 *	
Valley City, ND	46-55-31	098-00-04 *	
Traverse City, MI	44-45-47	085-37-25 *	
Cadillac, MI	44-15-10	085-23-52 *	
Macon, GA	32-50-12	083-37-36	
Eugene, OR	44-03-16	123-05-30	
Lafayette, LA	30-13-24	092-01-06	
Yakima, WA	46-36-09	120-30-39 *	
Pasco, WA	46-13-50	119-05-27 *	
Richland, WA	46-16-36	119-16-21 *	
Kennewick, WA	46-12-28	119-08-32 *	
Boise, ID	43-37-07	116-11-58	

*: City is part of a hyphenated market.

ATTACHMENT B

PRE-AUCTION PROCEDURES

A. General Filing Requirements

As discussed in the *Broadcast First Report and Order*, the Commission will require applicants for LPTV, Television Translator and Class A Television stations to file, in addition to their FCC Form 175 short form applications, paper copies of certain portions of FCC Form 346 or 301-CA. Such information is required so that the staff can make mutual exclusivity determinations. A comprehensive review of applicants' technical proposals will be undertaken by the staff following the submission of long-form applications by winning bidders post-auction, or by applicants identified as non-mutually exclusive.

(1) LPTV and Television Translator Proposals

LPTV and Television Translator proposals **must include the following portions of FCC Form 346 (June 2000 version): Section I, the Tech Box from Section III and Question 12 of Section III in addition to the FCC Form 175. This Form 346 must be submitted in triplicate and filed with the Secretary of the Commission, 445 12th Street, SW, Washington, DC 20554, between 9:00 a.m. EST July 31, 2000 and 5:30 p.m. EST on August 4, 2000.** Late applications, applications filed on older versions of Form 346 and Form 346's filed electronically will not be accepted. No application filing fee is required. To facilitate coordination, each Form 346 application submitted during this filing window should include a printed copy of the electronically filed FCC Form 175. A courtesy copy of any Form 346 application filed during the window should also be sent to Hossein Hashemzadeh, Low Power Television Branch, Video Services Division, Mass Media Bureau, Room 2-C866 at the above street address.

(2) Class A Television Proposals

Class A Television proposals **must include the following portions of FCC Form 301-CA (June 2000 version): Section I and the Tech Box from Section III in addition to the FCC Form 175. This Form 301-CA must be submitted in triplicate and filed with the Secretary of the Commission, 445 12th Street, SW, Washington, DC 20554 between 9:00 a.m. EST July 31, 2000 and 5:30 p.m. EST on August 4, 2000.** Late applications and Form 301-CA's filed electronically will not be accepted. No application filing fee is required. To facilitate coordination, each Form 301-CA application submitted during this filing window should include a printed copy of the electronically filed FCC Form 175. A courtesy copy of any Form 301-CA application filed during the window should also be sent to Hossein Hashemzadeh, Low Power Television Branch, Video Services Division, Mass Media Bureau, Room 2-C866 at the above street address.

B. Short-Form Application (FCC Form 175) Filing Procedures -- Due August 4, 2000, 5:30 p.m. EST

All applicants must electronically submit an FCC Form 175 no later than **5:30 p.m. EST** on August 4, 2000. Late applications will not be accepted. There is no application fee required when electronically filing an FCC Form 175.

(1) Electronic Filing

All FCC Form 175 applications must be filed electronically.⁶

Applicants may file FCC Form 175 applications electronically beginning 9:00 a.m. EST July 31, 2000. The system generally will be open for filing on a 24-hour basis. The FCC Form 175 filing window will remain open until 5:30 p.m. EST on August 4, 2000. Applicants are strongly encouraged to file early, and applicants are responsible for allowing adequate time for filing their applications. Applicants may update or amend their electronic applications multiple times until the filing deadline on August 4, 2000. Information about the electronic filing of the FCC Form 175 application is included as Attachment E to this Public Notice. Technical support is available at (202) 414-1250 (voice) or (202) 414-1255 (text telephone (TTY)); the hours of service are 7 a.m. - 10 p.m. EST, Monday - Friday.

(2) Completion of the FCC Form 175

Applicants should carefully review 47 C.F.R. Sections 1.2105 and 73.5002 and must complete all items on the FCC Form 175. Detailed instructions for completing the FCC Form 175 are in Attachment C of this Public Notice. The FCC Form 175 is not submitted to the FCC until an applicant receives confirmation from the filing system that the form has been received by the Commission.

C. Prohibition of Collusion

To ensure the competitiveness of the auction process, the Commission's rules prohibit applicants for the same geographic license area from communicating with each other during the auction about bids, bidding strategies, or settlements.⁷ This prohibition begins with the filing of short-form applications, and ends on the down payment due date after the auction.

⁶ See Amendment of Part 1 of the Commission's Rules -- Competitive Bidding Procedures, WT Docket No. 97-82, Allocation of Spectrum Below 5 GHz Transferred from Federal Government Use, ET Docket No. 94-32, *Third Report and Order and Second Further Notice of Proposed Rule Making*, 13 FCC Rcd 374, 410-11, ¶¶ 59-62 (1997) (modified by Erratum, DA 98-419 (rel. March 2, 1998)) ("*Part 1 Third Report and Order*"); 47 C.F.R. § 1.2105(a).

⁷ See 47 C.F.R. § 1.2105(c).

The only exception to this rule is that applicants may communicate with each other for the purpose of resolving conflicts by means of engineering solutions or settlements, but only during a time period as prescribed by the Bureaus. The precise period for pre-auction settlement of competing applications will be specified in a later public notice.⁸ Bidders competing for the same construction permit(s) are encouraged not to use the same individual as an 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 on their applications 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.⁹

The Bureaus, however, caution 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.¹⁰ For example, the rule would apply to any applicants bidding for the same construction permit. 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.¹¹ If parties agree in principle on all material terms prior to the short-form filing deadline, those parties must be identified on the short-form application under Section 1.2105(c), even if the agreement has not been reduced to writing. If the parties have not agreed in principle by the filing deadline, an applicant would not include the names of those parties on its application, and may not continue negotiations with other applicants for the same geographic license areas(s).¹² By electronically submitting their FCC Form 175 short-form applications, applicants are certifying their compliance with Sections 1.2105(c) and 73.5002. 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.¹³ 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.

⁸ See *Broadcast First Report and Order* at ¶ 17.

⁹ See *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, at ¶ 11 (1998) ("*Nevada Wireless*").

¹⁰ See *Nevada Wireless*, 13 FCC Rcd at 11978.

¹¹ See 47 C.F.R. § 1.2105(c).

¹² See "Wireless Telecommunications Bureau Clarifies Spectrum Auction Anti-Collusion Rules," *Public Notice*, DA 95-2244 (rel. October 26, 1995), 11 FCC Rcd 9645 (1995).

¹³ See 47 C.F.R. § 1.65.

D. Application Processing and Minor Corrections

After the deadline for filing the applications has passed, the FCC will process all timely and complete filings, to determine which are mutually exclusive, and will subsequently issue a Public Notice identifying: (1) those applications which are mutually exclusive (including FCC reference numbers and the construction permits for which they applied); (2) those applications which are not mutually exclusive; (3) those applications rejected due to defects in the Form 175; and (4) those applications that have minor defects in the Form 175 that may be corrected, and the deadline and instructions for filing such corrected applications. Applicants identified as non-mutually exclusive will then be required to submit FCC Form 301-CA or FCC Form 346.

As described more fully in the Commission's rules, after the August 4, 2000 filing deadline, an applicant may make only minor non-technical corrections to its FCC Form 175 application. Applicants will not be permitted to make major modifications to their applications.¹⁴ For this reason it is critical that all applicants carefully review their FCC Form 175 submissions prior to the close of the filing window.

(1) Electronic Review of FCC Form 175

The FCC Form 175 review software may be used to review and print an applicant's FCC Form 175 application. Prior to the filing deadline, applicants may only review their own completed FCC Form 175. Applicants may review their own and other applicants' completed FCC Form 175s after the filing deadline has passed and the FCC has issued a Public Notice concerning the status of the applications. Because the forms are made public, it is important that an applicant does not include its Taxpayer Identification Number (TIN) on any Exhibits to its FCC Form 175 application. There are no fees for accessing the Form 175 filing or review system.

¹⁴ See 47 C.F.R. § 1.2105.

ATTACHMENT C

GUIDELINES FOR COMPLETION OF FCC FORM 175 AND EXHIBITS

A. FCC Form 175

Applicants should especially note the following:

Applicant Address: Applicants must submit a street address (not a Post Office box number), suitable for mail or private parcel delivery.

Applicant Classification: Applicants must indicate their legal classification. The FCC Form 175 requires the applicant to classify itself as an individual, joint venture, partnership, trust, corporation, consortium, association, limited liability company (LLC) or government entity.

Applicant Status: Applicants are requested to indicate their status as a rural telephone company, minority-owned business and/or women-owned business, so that the FCC can monitor its performance in promoting economic opportunities for these designated entities.

Bidding Credit Eligibility: Applicants that qualify for the New Entrant Bidding Credit must enter the applicable bidding credit (25 percent or 35 percent) in the bidding credit eligibility item on the Form 175. Applicants are advised that this is the sole opportunity to select “New Entrant” status and claim a bidding credit level (if applicable). There is no opportunity to change the election once the initial short-form filing deadline passes on August 4, 2000.

Licenses/Construction Permits: Applicants for LPTV and Television Translator stations must indicate construction permit preference by filing Section I, the Tech Box from Section III and Question 12 of Section III of FCC Form 346 (June 2000 version). Applicants for Class A Television stations must indicate construction permit preference by filing Section I and the Tech Box from Section III of FCC Form 301-CA (June 2000 version).

Authorized Bidders: Applicants must list the name(s) of the person(s) (no more than three) authorized to represent them at the auction. Only those individuals listed on the FCC Form 175 will be authorized to place or withdraw bids for the applicant during the auction.

Certifications: Applicants should carefully read the list of certifications on the FCC Form 175. These certifications help to ensure a fair and competitive auction and require, among other things, disclosure to the Commission of certain information on applicant ownership and agreements or arrangements concerning the auction. Submission of an FCC Form 175 application constitutes a representation by the certifying official that he or she is an authorized representative of the applicant, has read the form's instructions and certifications, and that the contents of the application and its attachments are true and correct. Submission of a false certification to the Commission may result in penalties, including monetary forfeitures, license forfeitures, ineligibility to participate in future auctions, and/or criminal prosecution.

Contact person/address: If the Commission wishes to communicate with the applicant by telephone or fax, those communications will be directed to the contact person identified on the FCC Form 175. Space is provided for an address, telephone number, fax number, and e-mail address. All written communication and registration information will be directed to the applicant's contact person at the address specified on the FCC Form 175. Applicants must provide a street address; no P.O. Box addresses may be used.

Completeness: Applicants must submit all information required by the FCC Form 175 and by applicable rules. Failure to submit required information by the resubmission date will result in dismissal of the application and inability to participate in the auction. *See* 47 C.F.R. § 1.2105(b).

NOTE: Applicants must press the “Submit Form 175” button on the “Submit” page to successfully submit their FCC Form 175.

Continuing Accuracy: Each applicant is responsible for the continuing accuracy and completeness of information furnished in the FCC Form 175 and its exhibits. *See* 47 C.F.R. § 1.65. Applicants are reminded that they consent to be audited in the certification section of the FCC Form 175 (see certification item number 6).

B. Exhibits and Attachments

In addition to the FCC Form 175 itself, applicants must submit additional information required by the Commission's rules. Although the FCC does not require a particular format for this information, it has developed the following guidelines that will facilitate the processing of short-form applications. The FCC encourages applicants to submit this information using the following format.

Exhibit A -- Applicant Identity and Ownership Information: Section 73.5002 of the broadcast competitive bidding procedural rules specifies the bidding procedures, certification requirements, and anti-collusion rules applicable to applications for commercial broadcast services that are subject to auction. Subsection (b) of that rule requires the timely submission of short-form applications along with all required certifications, information and exhibits pursuant to the provisions of 47 C.F.R. § 1.2105(a). Section 1.2105, in turn, requires the

disclosure on the short-form of applicant ownership information as set forth in Section 1.2112. Specifically, 47 C.F.R. § 1.2105(a)(2)(ii) requires each applicant to fully disclose the real party or parties-in-interest, and the addresses and citizenship of the parties, in an exhibit to its FCC Form 175 application. Furthermore, each applicant applying for a New Entrant Bidding Credit must provide detailed ownership information for itself and its attributable interest holders, as defined by Section 73.3555 of the Commission's rules and by Note 2 to that Section. Regardless of whether a New Entrant Bidding Credit is being sought, all applicants must provide the identification and ownership information.

Exhibit B -- Agreements with Other Parties/Joint Bidding Arrangements: Applicants must attach an exhibit identifying all parties with whom they have entered into any agreements, arrangements or understandings of any kind that relate to the licenses being auctioned, including any agreements relating to the post-auction market structure. *See* 47 C.F.R. § 1.2105(a)(2)(viii).

Certification (4) to the FCC Form 175 requires the applicant to certify that it will not enter into any explicit or implicit agreements or understandings of any kind with parties not identified in the application regarding bid amounts, bidding strategies, or the particular licenses the applicant will or will not bid. *See* 47 C.F.R. § 1.2105(a)(2)(ix). *Except to the extent provided in 47 C.F.R. § 73.5002 (d)*, the prohibition of collusion set forth in 47 C.F.R. § 1.2105 (c) becomes effective upon the filing of short-form applications. To prevent collusion, the Commission's Rules *generally* prohibit communication among applicants for the same mutually exclusive permits or licenses between the initial short-form applications filing deadline and the deadline for down payments on licenses won, when such communication concern bids, bidding strategies, or settlements. 47 C.F.R. § 1.2105(c).

Exhibit C -- Status as a New Entrant Bidding Credit Recipient: An applicant claiming that it qualifies for a 35 percent new entrant credit must certify under penalty of perjury that neither it nor any of its attributable interest holders have any attributable interests in any other media of mass communications, as defined in 47 C.F.R. § 73.5008. With respect to those qualifying for a 25 percent credit, the applicant must provide a certification under penalty of perjury that neither it nor any of its attributable interest holders have attributable interests in more than three media of mass communications, as defined in 47 C.F.R. § 73.5008. In addition, applicants claiming a 25 percent credit shall identify and describe such media of mass communications. *See* 47 C.F.R. §§ 73.5007 and 73.5008.

Exhibit D -- Information Requested of Designated Entities: Applicants owned by minorities or women, as defined in 47 C.F.R. § 1.2110(b)(2), or that are rural telephone companies, as defined in 47 C.F.R. § 1.2110(b)(3), may attach an exhibit regarding this status. This information, in conjunction with the information in the Applicant Status item, will assist the Commission in monitoring the participation of these "designated entities" in its auctions.

Exhibit E – Miscellaneous: Applicants wishing to submit additional information may do so in Exhibit E.

The electronic Form 175 has functionality allowing the applicant to upload exhibits/attachments with the Form 175 for FCC review. Once the applicant has uploaded the attachment, that attachment will be converted by the auctions system into an Adobe PDF format and become available for the applicant's review.

If an applicant finds that an attachment has not converted properly to Adobe PDF format, the applicant should take the following steps:

- 1) *Simplify the formatting of the file. For example, if using a Table structure in a WordPerfect document, remove the Table structure leaving the contents of the table, re-save the document.*
- 2) *Re-upload the attachment.*
- 3) *Delete the failed attachment.*

NOTE: In order to protect their privacy, applicants should not list their TIN/SSN numbers on any Exhibits to their FCC Form 175s.

ATTACHMENT D

ELIGIBILITY FOR NEW ENTRANT BIDDING CREDIT; OWNERSHIP DISCLOSURE REQUIREMENTS; CONSORTIA AND JOINT BIDDING ARRANGEMENTS

ELIGIBILITY FOR NEW ENTRANT BIDDING CREDIT

A. General Eligibility Criteria

To fulfill its obligations under Section 309(j) and further its long-standing commitment to the diversification of broadcast facility ownership, the Commission adopted a tiered New Entrant Bidding Credit for auction applicants with no, or very few other media interests.

(1) Determination of Eligibility for Bidding Credit

For purposes of determining which entities qualify for a New Entrant Bidding Credit, the following information should be considered: the interests of the bidder, and of any individuals or entities with an attributable interest in the bidder, in other media of mass communications at the time of the short-form application filing deadline.

The interests held by the bidder, and by any individual or entity with an attributable interest in the bidder, in other media of mass communications shall be considered when determining a bidder's eligibility for the New Entrant Bidding Credit. Under traditional broadcast attribution rules, those entities or individuals with an attributable interest in a bidder include: all officers and directors of a corporate bidder; any owner of 5% or more of the voting stock of a corporate bidder; all partners and limited partners of a partnership bidder, unless the limited partners are sufficiently insulated; and all members of a limited liability company, unless insulated.¹⁵ In cases where a bidder's spouse or close family member holds other media interests, such interests are not automatically attributable to the bidder. The Commission decides attribution issues in this context based on certain factors traditionally considered relevant.¹⁶ Bidders should note that the mass media attribution rules were recently revised.¹⁷

Bidders are also reminded that, by *Memorandum Opinion and Order* released August 5, 1999,¹⁸ the Commission further refined the eligibility standards for the New Entrant Bidding

¹⁵ See 47 C.F.R. § 73.3555 Note 2.

¹⁶ See *Clarification of Commission Policies Regarding Spousal Attribution*, 7 FCC Rcd 1920 (1992).

¹⁷ See *Review of the Commission's Regulations Governing Attribution of Broadcast and Cable/MDS Interests*, MM Docket No. 94-150, FCC 99-207 (rel. August 6, 1999) (prior history omitted).

¹⁸ *Implementation of Section 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses*, MM Docket No. 97-234, 64 Fed. Reg. 44856 (August 18, 1999).

Credit, judging it appropriate to attribute the media interests held by very substantial investors in, or creditors of, a bidder claiming new entrant status. Specifically, the attributable mass media interests held by an individual or entity with an equity and/or debt interest in a bidder shall be attributed to that bidder for purposes of determining its eligibility for the New Entrant Bidding Credit, if the equity and debt interests, in the aggregate, exceed 33% of the total asset value of the bidder, even if such an interest is non-voting.¹⁹

Generally, media interests will be attributable for purposes of the New Entrant Bidding Credit to the same extent that such other media interests are considered attributable for purposes of the broadcast multiple ownership rules.²⁰ However, attributable interests held by a winning bidder in existing LPTV, television translator or FM translator facilities will not be counted among the bidders' other mass media interests in determining its eligibility for a New Entrant Bidding Credit.²¹ A medium of mass communications is defined in 47 C.F.R § 73.5008(b).

The bidder's attributable interests shall be determined as of the short form (FCC Form 175) filing deadline. Bidders intending to divest a media interest or make any other ownership changes, such as resignation of positional interests, in order to avoid attribution for purposes of qualifying for the New Entrant Bidding Credit must have consummated such divestment transactions or have completed such ownership changes by no later than the short-form filing deadline.²²

(2) Application Showing

Applicants are required to file supporting documentation as Exhibits A and C to their FCC Form 175 short-form applications to establish that they satisfy the eligibility requirements to qualify for a New Entrant Bidding Credit.²³ In addition, in those cases where a New Entrant Bidding Credit is being sought, a certification under penalty of perjury must be set forth in Exhibit C attesting to the eligibility of the bidder for the level of Credit claimed.

¹⁹ See 47 C.F. R. § 73.5008.

²⁰ Further, any bidder asserting new entrant status must have *de facto* as well as *de jure* control of the entity claiming the bidding credit. 47 C.F.R. § 73.5007. Typically, *de jure* control is evidenced by ownership of at least 50.1 percent of an entity's voting stock or equivalent level of interest in cases where the bidder is not a corporate entity. *De facto* control is determined on a case-by-case basis.

²¹ *Memorandum Opinion and Order on Reconsideration* at ¶ 75.

²² The fact that, on the short form filing deadline, a bidder has a pending or granted application to assign or transfer control of a media interest shall not be sufficient to avoid attribution. Bidders must have consummated the transaction by the short form filing deadline to avoid attribution.

²³ See 47 C.F.R. § 1.2105.

B. Bidding Credits

Applicants that qualify for the New Entrant Bidding Credit, as set forth in 47 C.F.R. § 73.5007,²⁴ are eligible for a bidding credit that represents the amount by which a bidder's winning bids are discounted. The size of a New Entrant Bidding Credit depends on the number of ownership interests in other media of mass communications that are attributable to the bidder-entity and its attributable interest-holders:

- A 35 percent bidding credit will be given to a winning bidder if it, and/or any individual or entity with an attributable interest in the winning bidder, has no attributable interest in any other media of mass communications, as defined in 47 C.F.R. § 73.5008; and,
- A 25 percent bidding credit will be given to a winning bidder if it, and/or any individual or entity with an attributable interest in the winning bidder, has an attributable interest in no more than three mass media facilities, as defined in 47 C.F.R. § 73.5008; and,
- No bidding credit will be given if any of the commonly owned mass media facilities serve the same area as the proposed broadcast station, as defined in 47 C.F.R. § 73.5007, or if the winning bidder, and/or any individual or entity with an attributable interest in the winning bidder, have attributable interests in more than three mass media facilities.

Bidding credits are not cumulative; qualifying applicants receive either the 25 percent or the 35 percent bidding credit, but not both. Attributable interests are defined in 47 C.F.R. § 73.3555 and Note 2 of that section. Bidders should note that unjust enrichment provisions apply to a winning bidder that utilizes a bidding credit and subsequently seeks to assign or transfer control its license or construction permit to an entity not qualifying for the same level of bidding credit.²⁵

OWNERSHIP DISCLOSURE REQUIREMENTS

All applicants must comply with the uniform Part 1 ownership disclosure standards and provide information set forth in Sections 1.2105 and 1.2112 of the Commission's rules. Specifically, in completing Form 175, applicants will be required to file in Exhibit A, a full and complete statement of the ownership of the bidding entity.²⁶ The ownership disclosure

²⁴ Section 73.5007 of the Commission's rules was most recently revised pursuant to the *Memorandum Opinion and Order on Reconsideration*. The revised version of the rule became effective on July 6, 1999.

²⁵ See 47 C.F.R. § 73.5007(c).

²⁶ Section 73.5002 of the broadcast competitive bidding procedural rules specifies the bidding procedures, certification requirements, and anti-collusion rules applicable to applications for commercial broadcast services that are subject to auction. Subsection (b) of that rule requires the timely submission of short-form applications *along with all required certifications, information and exhibits pursuant to the provisions of 47 C.F.R. § 1.2105(a)*. Section 1.2105, in turn, requires the disclosure on the short-form of applicant ownership information as set forth in Section 1.2112.

standards for the short form are set forth in Section 1.2112 of the Commission's rules. Bidders should note that, under Section 1.2112 (a)(4), the short form must list, *inter alia*, the names, addresses and citizenship of any party holding options permitting the acquisition of a ten percent or greater equity interest in the application, as well as the amount and percentage held.

Applicants owned by minorities or women, as defined in 47 C.F.R. § 1.2110(b)(2), may attach an exhibit (Exhibit D) regarding this status. This applicant status information is collected for statistical purposes only and assists the Commission in monitoring the participation of "designated entities" in its auctions. Applicants wishing to submit additional information may do so in Exhibit E -Miscellaneous Information – to the FCC Form 175.

CONSORTIA AND JOINT BIDDING ARRANGEMENTS

Applicants will be required to identify on their short-form applications any parties with whom they have entered into any consortium arrangements, joint ventures, partnerships or other agreements or understandings which relate in any way to the competitive bidding process. *See* 47 C.F.R. §§ 1.2105(a)(2)(viii); 1.2105(c)(1). Applicants will also be required to certify on their short form applications that they have not entered into any explicit or implicit agreements, arrangements or understandings of any kind with any parties, other than those identified, regarding the amount of their bids, bidding strategies, or the particular construction permits on which they will or will not bid. *See* 47 C.F.R. § 1.2105(a)(2)(ix). In cases where such consortia or joint bidding arrangement are contemplated, applicants must submit an Exhibit B to the FCC Form 175.

ATTACHMENT E

ELECTRONIC FILING AND REVIEW OF THE FCC FORM 175

Applicants must submit their FCC Form 175 applications electronically, using either the FCC Auctions System page on the Internet or the Commission's remote access system. The remote access system will generally be available 24 hours per day. FCC Form 175 applications must be submitted and confirmed by **5:30 p.m. ET on Friday, August 4, 2000**. Late applications or unconfirmed submissions of electronic data will not be accepted.

Applicants must press the **175 Submit** button on the *Submit* page to successfully submit their FCC Form 175. The electronic filing process consists of an initial filing period and a resubmission period to make minor corrections. During each filing period, submitted applications may be updated and amended multiple times until the filing deadline.

Minimum Hardware and Software Requirements

Applicants will need to meet the following minimum hardware and software requirements:

Minimum Hardware Requirements

- CPU: Intel Pentium
RAM: 16 MB (more recommended if you have multiple applications open)
Modem: 28.8 Kbps Hayes compatible modem or faster (recommend 56.6 Kbps)
Monitor: VGA or above
Mouse or other pointing device

Minimum Software Requirements

Operating System: Microsoft Windows 95 or 98

PPP (Point-to-Point Protocol) Dialer: Use the Dial-Up Networking feature included with Windows 95/98

Web Browser: Netscape Communicator 4.73 is recommended. However, you can also use Netscape Communicator 4.5, 4.51, 4.61, 4.7, or 4.72 (Internet web browser software).

Note: To download Netscape Communicator 4.73 free of charge, access the Netscape download site at <http://home.netscape.com/download/>

PDF Viewer: Adobe Acrobat Reader 3.0 or higher (available at <http://www.adobe.com>)

If you wish to use the download feature in the Form 175 Review, you will need a .tar file extraction utility, e.g., Winzip (available at <http://www.winzip.com>) or Pkzip for Windows (available at <http://www.pkware.com/download.html>).

Submitting FCC Form 175 Applications

You can submit FCC Form 175 applications electronically via the Internet. Start your Netscape Web browser. In your browser's *Location* field, enter <http://wtbwww15.fcc.gov> and then click **175 Submit**.

Note: If you have problems with the Internet, you may submit FCC Form 175 applications via the FCC Wide-Area Network, using Dial-Up Networking. For details, refer to the *Accessing the FCC Network to File FCC Form 175* attachment.

When uploading attachments in FCC Form 175 Submission, applicants may use a variety of file formats -- including Word 97 or earlier, WordPerfect 6.x or earlier, Adobe PDF, and ASCII text -- and should verify that the files contain all exhibit information. Graphics file uploads (e.g., .bmp, .tiff, .jpg) and spreadsheets (e.g., Excel, Lotus) are not supported, and graphics images should not be imported into any word processing files that are uploaded. ***Do not upload a password-protected file. The FCC system will not be able to open it or convert it.***

After you upload an attachment and it has been converted, check to see if it converted properly by selecting the PDF filename in the rightmost column. The conversion process generally completes within thirty minutes. If you are unable to read this file after it has been converted, please do the following:

1. Re-upload the attachment.
2. If the file still has not converted properly, then simplify the formatting of the file.

For example, if you are using a Table structure in a WordPerfect document, remove the Table structure and leave the contents of the table, then re-upload the attachment.

After you have successfully re-uploaded an attachment, please delete the old, unreadable attachment files.

Applicants must press the **Submit Form 175** button on the *Submit* page to successfully submit their FCC Form 175. Pressing **Submit Form 175** produces a confirmation message showing the assigned FCC Account Number. During each filing period, submitted applications may be updated and amended multiple times until the filing deadline.

Reviewing FCC Form 175 Applications

Once the FCC has completed the 175 Review process, you can review FCC Form 175 applications electronically via the Internet. Start your Netscape Web browser. In your browser's *Location* field, enter ***http://wtbwww15.fcc.gov*** and then click **175 Review**.

Help

For technical assistance with installing or using FCC software, contact the FCC Technical Support Hotline at (202) 414-1250 (V) or (202) 414-1255 (TTY). The FCC Technical Support Hotline is generally available Monday through Friday from 7 a.m. to 10 p.m. ET, Saturday from 8 a.m. to 7 p.m. ET, and Sunday from 12 p.m. to 6 p.m. ET. *All calls to the FCC Technical Support Hotline are recorded.*

ATTACHMENT F

ACCESSING THE FCC NETWORK TO FILE FCC FORM 175

This attachment describes how to access the FCC Network from a system that is running the Microsoft Windows 95 or Microsoft Windows 98 operating system. This involves configuring dial-up network access and then performing the dial-up procedure.

Note: Dial-up access to the FCC Network is *not* required to submit or review FCC Form 175 applications. You can perform those functions from the Internet, by entering location <http://wtbwww15.fcc.gov/> on your Netscape Web browser and clicking the **175 Submit** or **175 Review** button, respectively. For more details, refer to the *Electronic Filing and Review of the FCC Form 175* attachment.

Conventions

The instructions in this section use the following typographical conventions:

bold Represents objects on the screen that you click with the mouse pointer, including buttons, Internet links, icons, tabs, menu items (e.g., **Cancel** button, **Auctions** link, **Save** option in the File menu).

italic Represents field names or areas of a screen (e.g., *Applicant* field, *Selected Licenses* area of a screen).

bold italic Represents characters that you must type exactly as they appear in the instructions. For example, if you are instructed to type <http://wtbwww15.fcc.gov/>, you should type all of the characters shown in bold italic exactly as they are printed.

SMALL CAPS Represents keys on the keyboard (e.g., ENTER, CTRL, ESC).

Note: Throughout these instructions, “enter” means to type the appropriate information and then press the ENTER key.

Accessing the FCC Network to Submit FCC Form 175 Applications

The following section provides the instructions for configuring the dial-up network access in preparation for submitting FCC Form 175 applications. The subsequent section gives the dial-up procedure.

Configuring Dial-Up Networking

1. To start dial-up networking:
 - a. Click the Windows 95/98 **Start** button.
 - b. Click the **Programs** option to display the Programs menu.
 - c. Click the **Accessories** option to display the Accessories menu.
 - d. In Windows 95, click **Dial-Up Networking**.
In Windows 98, click **Communications**, then **Dial-Up Networking**.

If **Dial-Up Networking** is not an option on your Accessories menu, you should install it from your Windows 95/98 CD or diskettes.

2. When the Dial-Up Networking window appears, double-click the **Make New Connection** icon.

The Make New Connection window appears.

3. Type **FCC Auctions 800#** in the field titled *Type a name for the computer you are dialing*.
4. In Windows 95, click the down arrow at the right of the *Select a modem* field and select your modem from the menu of available modems.

In Windows 98, click the down arrow at the right of the *Select a device* field and select your modem from the menu of available devices.

If your modem does not appear on this list, you must install your modem driver according to the modem manufacturer installation procedures, which are usually described in your modem's user manual.

5. Click the **Next** button.
6. Type **800** and **378-7435** in the *Area Code* and *Telephone Number* fields, respectively.

If you need to dial 9 or some other digit to get an outside line, include that digit in the *Area Code* field. For example, you might type **9, 1 800** in this field.

7. Verify that the correct country is selected in the *Country code* field.

If necessary, click the down arrow at the right of the *Country code* field and select the appropriate country from the menu of available countries.

8. Click the **Next** button.

9. Click the **Finish** button.

An icon labeled *FCC Auctions 800#* appears in the Dial-Up Networking window.

10. Verify that properties are configured correctly before attempting a dial-up session. Put the mouse pointer on the icon and click the **right** mouse button to display a menu. Click **Properties** from the menu.
11. Click the **Configure** button. Click the **Options** tab at the top of the Properties window.
12. In the *Connection control* area of the Options tab, verify that *neither* option is selected. If either option is selected, click the check box at the left of the option to deselect it. Then click **OK**.
13. In Windows 95, click the **Server Type...** button.

In Windows 98, click the **Server Types** tab at the top of the Properties window.
14. In the *Advanced Options* area, verify that **only** *Enable software compression* is selected. If it is not selected, click the check box at the left of the option to select it. If either of the other options is selected, click the check box to deselect it.
15. In the *Allowed Network Protocols* area, **verify that only TCP/IP is selected**.

If it is not selected, click the check box at the left of the option to select it. If either of the other options is selected, click the check box to deselect it.
16. Click the **TCP/IP Settings** button. On the TCP/IP Settings window, select *Server assigned IP addresses* at the top and select *Specify name server addresses* midway down the window.
17. Type **165.135.241.149** as the Primary DNS and **165.135.79.95** as the Secondary DNS.

Ensure that these two options are checked:
 - Use IP header compression
 - Use default gateway or remote network
18. Click **OK** on the *TCP/IP Settings* window and the *Server Type* window.
19. Close the *Dial-Up Networking* window.
20. a. Click the Windows 95/98 **Start** button, then click the **Settings** option to display the Settings menu.

- b. Click **Control Panel** and then double-click the **Network** icon.
- c. Highlight the *TCP/IP Protocol* and click **Properties**. If there are multiple TCP/IP protocols, highlight *TCP/IP --> Dial-Up Adapter* and click **Properties**.

In a Windows 98 environment, a confirmation dialog appears. Read the information on the dialog, then click the **OK** button.

- d. Click the **DNS Configuration** tab and then click the **Enable DNS** radio button at the top.
- e. Type *bidder* in the *Host* box, type *fcc.gov* in the *Domain* box, then type *165.135.241.149* and *165.135.79.95* in the first two DNS Server Search Order boxes and click the **Add** button.

Note: You are limited to three DNS entries. If you already have three DNS entries, you must delete two of them before performing this step. To do this, click the first entry you want to delete and click the **Remove** button. Then click the second entry you want to delete and click the **Remove** button again.

- f. Click **OK** on the TCP/IP Properties windows, then click **OK** on the Network windows.
- g. If you are prompted to restart your computer, click **Yes** to restart, then begin the Dial-Up Procedure.

Dial-Up Procedure

1. If the Dial-Up Networking window is not currently open, do the following:
 - a. Click the Windows 95/98 **Start** button.
 - b. Click the **Programs** option to display the Programs menu.
 - c. Click the **Accessories** option to display the Accessories menu.
 - d. In Windows 95, click **Dial-Up Networking**
In Windows 98, click **Communications**, then **Dial-Up Networking**.

The Dial-Up Networking window appears.

2. In the Dial-Up Networking window, double-click the **FCC Auctions 800#** icon.
3. Click the **Connect** button on the window. *Do not enter User name and Password.*

The Connection window appears, indicating the status of your connection as your modem dials into the system. This window must remain running during your dial-up session. You may minimize the window, if you wish.

If your modem fails to establish a connection, please see the *Troubleshooting* section.

Submitting FCC Form 175 Applications

After you have connected to the FCC Network, start your Netscape Web browser. In your browser's *Location* field, enter ***http://wtbwww15.fcc.gov*** (primary location) or ***http://wtbwww04.fcc.gov*** (secondary location) and then click **175 Submit**.

Note: The *wtbwww04* location can only be accessed through dial-up networking; it cannot be accessed through the Internet.

When uploading attachments in FCC Form 175 Submission, applicants may use a variety of file formats -- including Word 97 or earlier, WordPerfect 6.x or earlier, Adobe PDF, and ASCII text -- and should verify that the files contain all exhibit information. Graphics file uploads (e.g., *.bmp*, *.tiff*, *.jpg*) and spreadsheets (e.g., Excel, Lotus) are not supported, and graphics images should not be imported into any word processing files that are uploaded. ***Do not upload a password-protected file. The FCC system will not be able to open it or convert it.***

After you upload an attachment and it has been converted, check to see if it converted properly by selecting the PDF filename in the rightmost column. The conversion process generally completes within thirty minutes. If you are unable to read this file after it has been converted, please do the following:

1. Re-upload the attachment.
2. If the file still has not converted properly, then simplify the formatting of the file.

For example, if you are using a Table structure in a WordPerfect document, remove the Table structure and leave the contents of the table, then re-upload the attachment.

After you have successfully re-uploaded an attachment, please delete the old, unreadable attachment files.

Applicants must press the **Submit Form 175** button on the *Submit* page to successfully submit their FCC Form 175. Pressing **Submit Form 175** produces a confirmation message showing the assigned FCC Account Number. During each filing period, submitted applications may be updated and amended multiple times until the filing deadline.

When you have finished, exit your Web browser; then click the **Disconnect** button on the Connection window to end your dial-up session.

Removing the Dial-Up Networking Service

Once you have finished using the dial-up networking service, you can remove it from your computer, as follows:

1. Click the Windows 95/98 **Start** button, then click the **Settings** option to display the Settings menu.
2. Click **Control Panel** and then double-click the **Network** icon.
3. Highlight the *TCP/IP Protocol* and click **Properties**. If there are multiple TCP/IP protocols, highlight *TCP/IP --> Dial-Up Adapter* and click **Properties**.

In a Windows 98 environment, a confirmation dialog appears. Read the information on the dialog, then click the **OK** button.

4. Click the **DNS Configuration** tab.
5. Click the DNS Server Search Order box containing *165.135.241.149* to select it, then click the **Remove** button.
6. Similarly, click the DNS Server Search Order box containing *165.135.79.95* to select it, then click the **Remove** button.
7. Click **OK** on the TCP/IP Properties windows, then click **OK** on the Network windows.
8. If you are prompted to restart your computer, click **Yes** to restart.
9. Remove the **FCC Auctions 800#** icon from your desktop. That is, click the icon with your *right* mouse button and then click the **Delete** option in the pull-down menu.

Troubleshooting

Following are problems you may encounter and possible solutions for resolving or isolating them.

Modem does not respond

1. Confirm that all physical connections for the modem are present.
2. Confirm that the phone line is active by connecting it to a telephone and checking for a dial-tone.
3. Confirm that the correct modem driver is installed for your modem.

Modem dials but does not connect

1. Confirm that the number the modem is dialing is correct.
2. Confirm that the modem prefix, if any, is correct.

Using a Backup Dial-In Number. If the number and prefix are correct, the 877 number being dialed may be experiencing problems. In this case, you can reconfigure the dial-up software using an alternate dial-in number, which is also toll-free. To use the backup number, perform the *Configuring Dial-Up Networking* procedure again, but this time make the following changes:

- In Step 3, type **FCC Auctions 877#** in the field titled *Type a name for the computer you are dialing*.
- In Step 6, type **877** and **844-2788** in the *Area Code* and *Telephone Number* fields, respectively.
- In Step 17, type **165.135.79.95** as the Primary DNS.
- In Step 20e, type **165.135.79.95** in the DNS Server Search Order box.

Modem dials and connects, but nothing appears when you enter the Location in the Web browser

1. Verify the Dial-Up Networking settings specified in the *Configuring Dial-Up Networking* section.
2. Confirm that your Web browser is not using proxies:
 - a) On your browser, click the **Preferences** option in the Edit menu.
 - b) In the Category area at the left, double-click **Advanced**.
 - c) Click the Advanced structure's **Proxies** option.
 - d) Click the radio button labeled **Direct connection to the Internet**.
 - e) Click the **OK** button at the bottom of the window.

Receive an Internal Server error in the Web browser

1. Confirm that the *Location* is set to ***http://wtbwww15.fcc.gov*** or ***http://wtbwww04.fcc.gov***
2. On your browser, click the **Preferences** option in the Edit menu. In the Category area at the left, double-click **Advanced**. In the area at the top, confirm that *Enable Java* and

Enable JavaScript are selected. In the Cookies area, confirm that *Accept all cookies* is selected.

Help

For technical assistance with installing or using FCC software, contact the FCC Technical Support Hotline at (202) 414-1250 (V) or (202) 414-1255 (TTY). The FCC Technical Support Hotline is generally available Monday through Friday from 7 a.m. to 10 p.m. ET, Saturday from 8 a.m. to 7 p.m. ET, and Sunday from 12 p.m. to 6 p.m. ET. *All calls to the FCC Technical Support Hotline are recorded.*