



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

DA 00-2337

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

Released: October 16, 2000

800 MHz SPECIALIZED MOBILE RADIO (SMR) SERVICE GENERAL CATEGORY (851-854 MHz) AND UPPER BAND (861-865 MHz) AUCTION

APPLICATIONS ACCEPTED FOR FILING Auction Event No. 34

Pleading Cycle Established

Report No. AUC-34 (Auction No. 34)

The long-form applications (FCC Form 601) for 800 MHz SMR General Category and Upper Band licenses listed in Attachment A have been found, upon initial review, accepted for filing. The Commission may return or dismiss any application if it is found, upon further examination, to be defective or not in conformance with the Commission's Rules. *See* 47 C.F.R. § 1.934(a), (d). Applications not appearing in Attachment A, remain under consideration by the Commission. In addition, except for the waiver requests we grant in this Public Notice, applications listed in Attachment A that are pending with associated petitions for waiver are accepted conditioned upon resolution of such requests.¹

Petitions to deny the applications listed in Attachment A must be filed no later than **October 26, 2000**, which is ten (10) days after the date of this Public Notice. *See* 47 C.F.R. § 1.2108(b). Oppositions to a petition to deny must be filed no later than five (5) business days after the date on which the petition to deny is filed, or by **November 2, 2000**. *See* 47 C.F.R. § 1.2108(c). Replies to the opposition must be filed no later than five (5) business days after the date on which the opposition is filed, or by **November 9, 2000**. *See* 47 C.F.R. § 1.2108(c). All pleadings filed concerning 800 MHz SMR General Category and Upper Band long-form applications should refer **Report No. AUC-34 (Auction No. 34)**, as well as the specific file numbers of the individual applications.

An original and four copies of all pleadings must be filed with the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street,

¹ The following applicants filed waiver requests regarding the filing of their Form 602: Communications Specialists Inc. and Motient Communications Company.

S.W., TW-A325, Washington, DC 20054, in accordance with section 1.51(c) of the Commission's rules. *See* 47 C.F.R. § 1.51(c). In addition, one copy of each pleading must be delivered to each of the following locations: (1) the Commission's duplicating contractor, International Transcription Service, Inc. (ITS), 1231 20th Street, N.W., Washington, DC 20036; (2) Office of Public Affairs, Wireless Telecommunications Bureau, 445 12th Street, S.W., Room CY-C314, Washington, DC 20554; and (3) Gary A. Oshinsky, Room 4-A363, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau, 445 12th Street, S.W., Washington, DC 20554.

The applications listed in Attachment A are available to the public for electronic viewing in the Commission's Universal Licensing System ("ULS"). Instructions for obtaining and using ULS are contained in Attachments B and C of this Public Notice.

Certain applicants failed to file an original FCC Form 602 in our Gettysburg office by September 20, 2000, as required by sections 1.913(d)(4) and 1.919(b)(1) of the Commission's rules and have sought waivers to allow late filing of their Form 602.² 47 C.F.R. §§ 1.913(d)(4), 1.919(b)(1). Because the Form 602 filing requirement became effective only recently, and some applicants may have been unfamiliar with the new filing procedures, we hereby grant the waiver requests associated with these long-form applications, pursuant to section 0.331 of the Commission's rules. 47 C.F.R. § 0.331. We note, however, that such waiver requests will not be routinely granted in the future in the absence of a clear showing of good cause.

After the pleading cycle, the Wireless Telecommunications Bureau will release a public notice listing the applicants to whom the Commission is prepared to award licenses. All winning bidders will be required to pay the balance of their winning bids in a lump sum payment within ten (10) business days following the release of that public notice. *See* 47 C.F.R. § 1.2109(a). Licenses will be awarded upon the full and timely payment of the winning bids and any applicable late fees.

Any amendments to FCC Form 601 applications must be filed electronically. For technical assistance in using ULS for viewing applications or making amendments to applications, contact the FCC Technical Support Hotline at (202) 414-1250. The FCC Technical Support Hotline generally will be available Monday through Friday, from 9 a.m. to 6 p.m. ET. All calls to the FCC Technical Support Hotline are recorded. Questions regarding procedural issues should be directed to Gary Oshinsky or Erin McGrath at (202) 418-7240, or Bettye Woodward at (202) 418-1345.

This Public Notice contains the following attachments:

- Attachment A: List of Applications Accepted for Filing – sorted by Applicant.
- Attachment A1: List of Applications Accepted for Filing – sorted by market and block.
- Attachment B: Instructions for Searching for Applications Listed in Attachment A using ULS.
- Attachment C: Instructions for Accessing the FCC Network Using Windows 95/98.

² *See id.*