



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 01-1446
June 18, 2001

Supplement to the Guidelines for Completion of FCC Form 175 and Exhibits for Auction No. 82

Report No. AUC-01-82-A (Auction No. 82)

By this Public Notice, the Mass Media Bureau and the Wireless Telecommunications Bureau supplement the *Auction No. 82 Filing Window Public Notice*,¹ released May 25, 2001, announcing an auction filing window for certain new analog television stations.² This supplement informs applicants that additional information and certifications must be submitted with the short form application (FCC Form 175) that must be filed by 5:30 p.m. Eastern Time, June 29, 2001. The following instructions for filing the FCC Form 175 supplement those contained in the *Auction No. 82 Filing Window Public Notice*.³

Provisions Regarding Defaulters and Former Defaulters (Form 175 Exhibit F)

Each applicant must certify on its FCC Form 175 application that neither it nor its controlling interest holders or affiliates is in default on any Commission licenses and that they are not delinquent on any non-tax debt owed to any Federal agency.⁴ In addition, each applicant must attach to its FCC Form 175 application a statement made under penalty of perjury indicating whether or not the applicant, or any of the applicant's controlling interests or their affiliates, as defined by Section 1.2110 of the Commission's rules (as recently amended in the *Part 1 Fifth Report and Order*⁵) have ever been in default on any Commission licenses or have ever been

¹ "Auction Filing Window for New Analog Television Stations; Auction No. 82," *Public Notice*, DA 01-1300 (rel. May 25, 2001) ("*Auction No. 82 Filing Window Public Notice*").

² The *Auction No. 82 Filing Window Public Notice* announced an auction filing window for new analog television stations for Channel 47 in Columbia, South Carolina; Channel 51 in Pittsfield, Massachusetts; Channel 34 in Magee, Mississippi; and Channel 16 in Scottsbluff, Nebraska.

³ See *Auction No. 82 Filing Window Public Notice*, Attachment B.

⁴ 47 C.F.R. § 1.2105(a)(2)(x).

⁵ See Amendment of Part 1 of the Commission's Rules — Competitive Bidding Procedures, WT

delinquent on any non-tax debt owed to any federal agency.⁶ **Applicants must include this statement as Exhibit F of the FCC Form 175.** If any of an applicant’s controlling interest holders or affiliates, as defined by Section 1.2110 of the Commission’s rules, have ever been in default on any Commission license or have ever been delinquent on any non-tax debt owed to any Federal agency, the applicant must include such information as part of the same attached statement.⁷ Prospective bidders are reminded that the statement must be made under penalty of perjury and, further, 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.

“Former defaulters” — *i.e.*, applicants, including their attributable interest holders, that in the past have defaulted on any Commission licenses or been delinquent on any non-tax debt owed to any Federal agency, but that have since remedied all such defaults and cured all of their outstanding non-tax delinquencies — will be eligible to bid in Auction No. 82, provided that they are otherwise qualified. However, former defaulters are required to pay upfront payments that are fifty percent more than the normal upfront payment amounts.⁸

For additional information, contact Shaun Maher at the Video Services Division, Mass Media Bureau at (202) 418-1600.

Docket No. 97-82, *Order on Reconsideration of the Third Report and Order, Fifth Report and Order, and Fourth Further Notice of Proposed Rule Making*, 15 FCC Rcd 15293 (2000) (“*Part 1 Fifth Report and Order*”).

⁶ 47 C.F.R. § 1.2105(a)(2)(xi).

⁷ *Part 1 Fifth Report and Order*, 15 FCC Rcd at 15317, ¶ 42.

⁸ 47 C.F.R. § 1.2106(a).