



PUBLIC NOTICE

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DA 02-2395
September 25, 2002

1670-1675 MHz BAND AUCTION (AUCTION NO. 46) POSTPONED UNTIL APRIL 30, 2003

Report No. AUC-02-46-E (Auction No. 46)

By this Public Notice, the Wireless Telecommunications Bureau announces that the start of the upcoming auction of one nationwide 5 megahertz license in the 1670-1675 MHz band ("Auction No. 46"), scheduled for October 30, 2002, is postponed until April 30, 2003.

On September 13, 2002, ArrayComm, Inc. ("ArrayComm") submitted a letter to the Wireless Telecommunications Bureau requesting a six-month postponement of Auction No. 46.¹ Later that day, the Bureau released a *Public Notice* seeking comment on ArrayComm's request.² The Bureau received five comments in response to the *Public Notice*.³ Four commenters support or do not oppose a postponement of this auction, while one opposes any delay.⁴ Based on the record of comments received by the Bureau, and pursuant to authority delegated by Sections 0.131 and 0.331 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331, the Bureau postpones Auction No. 46 to provide additional time for bidder preparation and planning.

Because the short-form application filing window has opened, any short-form applications to participate in Auction No. 46 that are in the system will be deemed ineffective and purged from the system. The new filing window for short-form applications to participate in

¹ Letter from Paul G. Madison, Counsel for ArrayComm, Inc. to Thomas Sugrue, Chief, Wireless Telecommunications Bureau (filed September 13, 2002).

² Wireless Telecommunications Bureau Seeks Comment on Request for Postponement of 1670-1675 MHz Band Auction; Comments Sought on the ArrayComm, Inc. Request for Postponement of Auction No. 46, *Public Notice*, DA 02-2283 (rel. September 13, 2002).

³ Comments of AeroAstro, Inc. (filed September 20, 2002); Comments of ArrayComm (filed September 20, 2002); Opposition of Itron, Inc. (filed September 20, 2002); Comments of Space Data Corporation ("Space Data") (filed September 20, 2002); and Comments of Telephone and Data Systems, Inc. ("TDS") (filed September 20, 2002).

⁴ ArrayComm, Space Data, and TDS support a postponement of the auction. AeroAstro stated that it "does not oppose" postponement. Itron opposes postponement.

Auction No. 46 will open on March 18, 2003. The new schedule for Auction No. 46 is as follows:

Short-Form Application (FCC Form 175)	
Filing Window Opens.....	March 18, 2003
Short-Form Application (FCC Form 175) Deadline.....	March 25, 2003, at 6:00 pm ET
Upfront Payments Deadline.....	April 11, 2003, at 6:00 pm ET
Mock Auction.....	April 25, 2003
Auction Begins.....	April 30, 2003

For further information, contact Francis Gutierrez, Auction and Industry Analysis Division, Legal Branch at (202) 418-0660 or Lisa Stover, Auction and Industry Analysis Division at (717) 338-2888.

By the Chief, Wireless Telecommunications Bureau.

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