



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES IT IS PREPARED TO GRANT UPPER AND LOWER PAGING BAND LICENSES UPON FULL AND TIMELY PAYMENT

AUCTION EVENT NO. 40

Report No. AUC-40 (Auction No. 40)

On December 5, 2001, the Federal Communications Commission completed the auction of 15,514 licenses in the Lower and Upper Paging Bands.¹ After a preliminary review of the long-form applications (FCC Form 601), applications listed in Attachment A to the April 9, 2002 Public Notice were accepted for filing.²

By this Public Notice, the Wireless Telecommunications Bureau announces that it is prepared to grant the applications for the licenses listed in Attachment A to this Public Notice, upon the full and timely payment of the remaining balance of the applicant's winning bid(s). Such payment must be received by the Commission within ten (10) business days after the date of this Public Notice (*i.e.*, by **May 21, 2003**). *See* 47 C.F.R. § 1.2109(a). If the winning bidder listed on Attachment A fails to pay the balance of its winning bids in a lump sum by **May 21, 2003**, it may pay the remaining balance within ten (10) business days after the payment deadline (*i.e.*, by **June 5, 2003**), provided that it also pays a late fee equal to five percent of the amount due. *See* 47 C.F.R. § 1.2109(a).

If the winning bidder listed in Attachment A fails to pay the balance of its winning bid(s) by the late payment deadline of **June 5, 2003**, it will be in default and subject to applicable default payments. *See* 47 C.F.R. §§ 1.2104(g), 1.2109(c). Such applicant will be assessed default penalties as prescribed by sections 1.2104(g) and 1.2109(c) of the Commission's rules. *See* 47 C.F.R. §§ 1.2104(g), 1.2109(c).

¹ *See* Lower and Upper Paging Bands Auction Closes: Winning Bidders Announced, *Public Notice*, 16 FCC Rcd 21,821 (2001).

² *See* Wireless Telecommunications Bureau Announces that Applications for Upper and Lower Paging Bands Are Accepted for Filing, Auction Event No. 40, *Public Notice*, 17 FCC Rcd 27,418 (2002).

Payment Instructions

All payments must be made in U.S. currency in the form of a wire transfer. *See* 47 C.F.R. § 1.2107(b). No personal checks, cashier's checks or other forms of payment will be accepted.

Wire transfer payments must be received by Mellon Bank no later than **6:00 p.m. Eastern Time, May 21, 2003 (or 6:00 p.m. Eastern Time, June 5, 2003, along with the five percent late fee)**. The applicant should allow sufficient time for the wire transfer to be initiated and for the transmission to be completed prior to the deadline. To submit funds by wire, the applicant will need the following information to properly effect the transmittal:

ABA ROUTING NUMBER: 043000261
RECEIVING BANK: Mellon Pittsburgh
BNF: FCC Account Number 911-6106
OBI Field: (Skip one space between each information item) "AUCTIONPAY"
APPLICANT'S FRN NO.: (same as FCC Form 159, Block 12)
PAYMENT TYPE CODE: (enter "A40D")
FCC CODE 1: (same as FCC Form 159, Block 28A: "40")
PAYOR NAME: (same as FCC Form 159, Block 2)
LOCKBOX NO.: 358850

Payments must be preceded by a completed FCC Remittance Advice Form (FCC Form 159). The applicant must fax, on the same business day that it pays the balance due to Mellon Bank, a completed FCC Form 159 to Mellon Bank at (412) 209-6045 at least one hour prior to placing the order for the wire transfer. On the FCC Form 159, the applicant must use the same FRN number used on its FCC Form 601.

When completing FCC Form 159 (February 2000 Version), the applicant must type the auction number, "40," in Block(s) 28A and 28B ("FCC Code 1"). The applicant also must type the applicable license numbers in Blocks 29A and 29B ("FCC Code 2") of FCC Form 159. License numbers should be identified by typing "CP" (radio service code), followed by the market designator (BEA), followed by the market number (001-176), and the frequency block (blocks A, B and C). An example of a correct license number would be "CPBEA002E01" or "CZBEA058B." The radio service code, market designator, market number, and frequency block designations are listed in Attachment A. Form 159 provides sufficient boxes to list only two licenses. The applicant must then use FCC Form 159-C ("Continuation Sheet") for the remainder of their licenses.

Further information

For questions regarding the calculation and submission of final payment, the FCC Form 159 and refunds, contact Gail Glasser or Tim Dates, Office of the Managing Director, Financial Operations Center, Auctions Accounting Group, at (202) 418-0578.

For questions regarding legal matters and licensing issues, contact Amal Abdallah, or Evan Baranoff, Wireless Telecommunications Bureau, Commercial Wireless Division, Policy and Rules Branch, at (202) 418-0620.

The news media should contact Meribeth McCarrick, Wireless Telecommunications Bureau, at (202) 418-0654.

This Public Notice contains the following Attachments:

Attachment A: List of Applications the Wireless Telecommunications Bureau is Prepared to Grant.

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.