



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 07-280
January 29, 2007

WIRELESS TELECOMMUNICATIONS BUREAU GRANTS LOWER 700 MHz BAND LICENSES

Auction Event No. 44

Report No. AUC-44 (Auction No. 44)

On September 18, 2002, the Federal Communications Commission completed the auction of 740 licenses in the lower 700 MHz C and D blocks.¹ On November 8, 2002, the Bureau announced that, based on a preliminary review, it had accepted for filing the long-form applications (FCC Form 601) for winning bidders in Auction No. 44.² On December 9, 2002, the Bureau announced that it was prepared to grant the WSS, LLC (“WSS”) application upon full and timely payment.³ Upon further review, we find that the application filed by WSS, listed in Attachment A to this Public Notice, is complete and conforms to the Commission’s rules. Furthermore, the Commission has received full payment, as required by Section 1.2109(a) of its rules,⁴ for the licenses listed in Attachment A.⁵

Accordingly, by this Public Notice, we announce the grant of the licenses listed in Attachment A. We grant these licenses pursuant to Section 309(a) of the Communications Act, 47 U.S.C. § 309(a), and section 0.331 of the Commission’s rules, 47 C.F.R. § 0.331, because it will serve the public interest, convenience, and necessity.

¹ See Lower 700 MHz Band Auction Closes; Winning Bidders Announced, *Public Notice*, 17 FCC Rcd 17272 (2002).

² See Wireless Telecommunications Bureau Announces that Applications for Lower 700 MHz Band Are Accepted for Filing, Auction Event No. 44, *Public Notice*, 17 FCC Rcd 22329 (2002).

³ See Wireless Telecommunications Bureau Announces It Is Prepared to Grant Lower 700 MHz Band Licenses Upon Full and Timely Payment, *Public Notice*, 17 FCC Rcd 24650 (2002) (“PTG PN”).

⁴ 47 C.F.R. § 1.2109(a).

⁵ Auction 44 winning bidders were directed to pay the balance of their winning bids by December 23, 2002. See *PTG PN* at 1. If a winning bidder failed to pay the balance of its winning bids by December 23, 2002, it could pay the remaining balance by January 8, 2003, provided that it paid a late fee equal to five percent of the amount due. See *id.* WSS failed to pay the full balance of its winning bids by January 8, 2003. WSS remitted an amount equal to the remaining balance of its winning bid, plus an additional five percent of the unpaid balance, on January 31, 2003, along with a request for waiver of 1.2109 of the Commission’s rules, 47 C.F.R. § 1.2109. See WSS, LLC Request for Waiver of Section 1.2109 of the Commission’s Rules, *Memorandum Opinion and Order*, 21 FCC Rcd 6635 (2006). The Auctions and Spectrum Access Division granted WSS’s request for waiver of section 1.2109. See *id.*

This Public Notice includes the following Attachments:

Attachment A: Application and Licenses the Wireless Telecommunications Bureau Is Granting.

Attachment B: Instructions for Searching for the Application Listed in Attachment A Using ULS.

Attachment C: Instructions for Searching for Granted Licenses Listed in Attachment A Using ULS.

Attachment D: Instructions for Accessing the FCC Network Using Windows 95/98.

Please contact Erin McGrath, Wireless Telecommunications Bureau, Mobility Division, at (202) 418-2042, for questions regarding legal matters and licensing issues.