



Federal Communications Commission  
Washington, D.C. 20554

January 30, 2007

DA 07-358

J. Dominic Monahan, Counsel  
Combined Communications, Inc.  
777 High Street, Suite 300  
Eugene, Oregon 97440-2747

Re: Combined Communication, Inc. – Short-form Application of Horizon Broadcasting, LLC to Participate in Auction No. 62

Dear Mr. Monahan:

This letter is in response to your letter to the Federal Communications Commission (“Commission”), objecting to the short-form application of Horizon Broadcasting Group LLC (“Horizon”) to participate in the auction of FM broadcast construction permits, Auction No. 62.<sup>1</sup> In particular, you argue that, under the Commission’s media ownership rules regarding the ownership of multiple stations, Horizon is ineligible to participate in Auction No. 62 and to submit bids for the sole permit that Horizon had selected on its short-form application.<sup>2</sup> Auction No. 62 commenced on January 12, 2006 and concluded on January 31, 2006.<sup>3</sup>

While we take allegations of noncompliance with the Commission’s rules seriously, we are also sensitive to the fact that any action we take during the course of an ongoing auction, or before the long-form applications are filed, could harm the integrity of the auction process. Generally, we believe it is more prudent to address such issues as you have raised after the winning bidders have submitted their long-form applications (FCC Form 301), when there is greater opportunity for investigation of such matters.<sup>4</sup>

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<sup>1</sup> Letter from J. Dominic Monahan, Counsel to Combined Communications, to Marlene H. Dortch, Secretary, Federal Communications Commission, dated December 8, 2005.

<sup>2</sup> Horizon selected one permit on its application, FM Channel 224-C, Sunriver, OR. See FCC Form 175 of Horizon Broadcasting Group, LLC (filed August 12, 2005). Short-form applications for Auction No. 62 and all other FCC auctions may be viewed online at: <https://auctionfiling2.fcc.gov/form175/search175/index.htm>.

<sup>3</sup> See “Auction of FM Broadcast Construction Permits Closes; Winning Bidders Announced for Auction No. 62; Down Payments Due February 23, 2006; FCC Form 301 due March 10, 2006, *Public Notice*, DA 06-252 (rel. February 8, 2006).

<sup>4</sup> See Baker Creek Communications, L.P., For Authority to Construct and Operate Local Multipoint Distribution Services In Multiple Basic Trading Areas, DA 98-1921, *Memorandum Opinion and Order*, 13 FCC Rcd 18,709 (1998); Letter from Margaret W. Wiener, Deputy Chief, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, to Steven R. Sixberry, Nevada Wireless, DA 00-1949 (rel. August 24, 2000).

Horizon failed to meet the minimum requirements applicable to all applicants for Auction No. 62 and was thus found not eligible to participate in this auction.<sup>5</sup> Accordingly, we need not reach the issues that you raise under the Commission's multiple ownership rules and dismiss your request as moot.

Sincerely,

Gary D. Michaels  
Deputy Chief, Auctions and Spectrum Access Division  
Wireless Telecommunications Bureau

cc: Melodie A. Virtue, Esq.  
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<sup>5</sup> See Auction of FM Broadcast Construction Permits, 214 Bidders Qualified to Participate in Auction No. 62, *Public Notice*, 20 FCC Rcd 19,937, 19,997 (2005).