

**ATTACHMENT B****Long-Form Application Filing Instructions**

This attachment provides instructions for each winning bidder in Auction 902 to complete and file an application for Tribal Mobility Fund Phase I support, known as a long-form application, using FCC Form 680.<sup>1</sup>

**I. APPLICATION PREPARATION AND SUBMISSION**

Each winning bidder must submit its long-form application (FCC Form 680) electronically, via the FCC Auction System. **All long-form applications for Auction 902 must be submitted and confirmed prior to 6:00 p.m. Eastern Time (ET) on Friday, April 4, 2014.** A winning bidder that fails to submit a long-form application by this deadline and fails to establish good cause for any request for a late submission shall be deemed to have defaulted and will be subject to the auction default payment set forth in section 1.21004.<sup>2</sup>

We remind winning bidders that no application for Tribal Mobility Fund Phase I support will be considered unless it has been filed timely in an acceptable form.<sup>3</sup> Each application must contain all of the information set forth in section 54.1005(b)(2) of the Commission's rules.<sup>4</sup> Unnecessary sensitive information, such as Taxpayer Identification Numbers or Social Security Numbers, should not be included in the long-form application or any attachments. Applicants may request that submitted information not be made routinely available for public inspection following the procedures set forth in section 0.459 of the Commission's rules.<sup>5</sup> Any such request must be included as an attachment to the applicant's FCC Form 680, identify the specific information to which the confidentiality request applies, and include a tailored, redacted version of the information that can be made public. Because the required information bears on each applicant's qualifications, confidentiality requests will not be routinely granted.<sup>6</sup>

Applicants may make multiple changes to their long-form applications until the close of the filing window. However, they must press the **SUBMIT** button in the FCC Auction System any time changes are made for those changes to be submitted and considered by the Commission.

**A. Minimum Software Requirements**

The following software, at a minimum, is required to use the FCC Auction System:

- Web Browser, either of the following is recommended:
  - Microsoft® Internet Explorer 8.0 or higher
  - Mozilla® Firefox® 3.5 or higher
- PDF Viewer: Adobe Acrobat Reader 5.0 or higher (available at <http://www.adobe.com>)
- Minimum Screen Resolution: 1024 x 768

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<sup>1</sup> See 47 C.F.R. § 54.1005(b) (requirements for Tribal Mobility Fund Phase I long-form application for support).

<sup>2</sup> 47 C.F.R. § 1.21004 (auction default payment of five percent of total winning bid).

<sup>3</sup> See 47 C.F.R. § 54.1005(b)(3).

<sup>4</sup> 47 C.F.R. § 54.1005(b)(2).

<sup>5</sup> 47 C.F.R. § 0.459.

<sup>6</sup> 47 C.F.R. § 0.459(a).

Currently, the Apple® Mac OS® is not supported.

### **B. Logging On**

To submit or edit a long-form application (FCC Form 680) online, an applicant should open its web browser and navigate to either <http://auctions.fcc.gov/> (primary location) or <http://auctions2.fcc.gov/> (secondary location). Once on the *FCC Auction System* page, the applicant must log in using the same applicant FCC Registration Number (“FRN”)<sup>7</sup> and password that was used in creating and filing the applicant’s short-form application (FCC Form 180). On the *My Auctions* page, select the **Click here to file FCC Form 680** link under the Connect America Fund section. This produces the *Auction Application Manager* page. At the bottom of the page select the link for Auction 902 under **Create New Long-Form Applications or Review or Modify Existing Long-Form Applications**. Only an entity that has been identified as a winning bidder in this Public Notice will be able to create a new long-form application or review or modify an existing long-form application.

### **C. Application Filing Instructions**

The FCC Auction System will prefill certain categories of information from the winning bidder’s short-form application into its long-form application: Applicant Information, Winning Bids, Agreements, and Ownership. You should be aware, however, that the applicant is solely responsible for ensuring that all information contained in a submitted application is accurate, updated, and complete.

Please note that any attachments that an applicant may have submitted with the short-form application will NOT be carried over to the long-form application. To the extent that any information required in the long-form application was provided in an attachment to a winning bidder’s short-form application, and no FCC Form 680 data field exists to provide that information, such information should be provided as an attachment to the winning bidder’s long-form application. If a FCC Form 680 data field is provided, responsive information must be inserted in the proper data field of the form, not in an attachment. Attachments that apply to the entire application, and are not specific to any particular Winning Bid, can be uploaded at any screen by clicking on the **Attachment** link at the top of the screen.

#### **1. Applicant Information Screens**

Each applicant must carefully review its applicant information, including its name, address, legal classification, and contact information, all of which will have been prefilled from its short-form application. You must review information in this section carefully to confirm that it is complete and accurate. If there have been any changes or corrections to the applicant’s information, the applicant should answer the appropriate questions and verify the information before continuing to the next section.

#### **2. Winning Bids Screens**

The *Winning Bids* screens are prefilled with the applicant’s winning bid(s) (called an item in the FCC Form 680) that the applicant won during Auction 902. In this series of screens, an applicant

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<sup>7</sup> An FRN is a 10-digit number that is assigned to a business or individual that has registered with the FCC. It is used to uniquely identify an individual or business in all transactions with the FCC.

must, for each of its winning bids, indicate whether the applicant will provide 3G or 4G service with its Tribal Mobility Fund support and upload the required attachments.

**a. 3G/4G Selection**

On the first screen in this series, *Select A Service Type*, an applicant must indicate for each item whether 3G or 4G service will be provided by checking the checkbox beside the item(s) and then clicking the appropriate **Mark as 3G** or **Mark as 4G** button at the bottom of the page. If an applicant wishes to select the same service for all of its winning bids displayed on the page, clicking the *Select All* link at the top of the column and the appropriate button will mark all of its winning bids on that page as either 3G or 4G.

**b. Winning Bid Attachments**

As previously described in this Public Notice, each winning bidder must submit a minimum of five separate attachments for each winning bid: (i) Eligible Telecommunication Carrier (ETC) designation, (ii) project description, (iii) spectrum access, (iv) letter of credit (or commitment letter), and (v) tribal engagement notification.

The second screen in this series is divided into two sections: *Upload Item Attachment* and *Attach Files to Winning Bids*. Use the **Type** dropdown field to select one of the valid item attachment types: Commitment Letter, ETC Designation, Letter of Credit, Opinion Letter, Project Description, Spectrum Access, Tribal Engagement, or Waiver. Click the **Browse** button to select the file from your computer or network. Enter a brief description of the attachment in the text box then click the **Upload File** button.<sup>8</sup>

After you have uploaded a file, you can attach it to one or more Winning Bids. To do this, select a file from the Uploaded Files list box on the left side of the page. Then, click the **Attach** link beside the Winning Bid(s) you would like to attach the file to or, if the file attachment applies to all of the Winning Bids displayed on the page, click the **Attach All** link to attach the file to all displayed Winning Bids. Winning Bids associated with the selected file will be displayed in the Selected Winning Bids table on the right side of the screen. To detach a file from a Winning Bid, click the **Detach** link next to the Winning Bid(s) in the table, or click the **Detach All** link to detach it from all Winning Bids.

**Important Notes Regarding Winning Bids Attachments:**

- At the initial long-form application filing, you must submit either a written commitment letter from the bank that will be issuing the letter of credit (in which case, you would use file type Commitment Letter for the attachment) or a letter of credit accompanied by the bankruptcy opinion letter from outside counsel (in which case you would use file type Letter of Credit and Opinion Letter for the attachments). If you submit the commitment letter at your initial long-form application filings, you will then need to upload the letters of credit and opinion letter when the Commission issues a public notice identifying the winning bidder as authorized to receive Tribal Mobility Fund support.



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<sup>8</sup> If you are uploading different attachments of the same type (e.g., different ETC attachments for winning bids in separate geographic areas), we encourage you to enter a different brief description for each attachment of that type to help distinguish the different attachments.

- When uploading letters of credit, you must upload the letter of credit corresponding to the appropriate winning bid. You should not attach each letter of credit to every winning bid.
- You may utilize one bankruptcy opinion letter for all winning bids. Such letter must be attached to each winning bid. The opinion letter must list all of the winning bids to which it applies, either in the body of, or as an attachment to, the letter.
- A Tribal Engagement attachment is required for all winning bids. For a limited number of eligible areas, there may be no Tribal government associated with certain eligible areas covered by a winning bid. In such case, the applicant should upload a Tribal Engagement attachment containing a brief explanation of the particular facts for the areas covered by that winning bid.
- When uploading attachments, you may use a variety of file formats, including Microsoft® Word, WordPerfect 5.x or later, Adobe® Acrobat® PDF, and ASCII text. Applicants must, however, verify that the file contains all attachment information, and files may be no larger than 10 Mb and must not be password-protected. Graphics files (e.g., .bmp, .tiff, .jpg) and spreadsheets (e.g., Excel, Lotus) are supported but not recommended.

### c. Winning Bids Summary

The third and final screen in the Winning Bids series is the *Winning Bids Summary* page, which lists each Winning Bid and provides additional information as shown below. This information can be sorted by any column, with the exception of Attachments, in ascending or descending order by clicking on the column title.

- **Item Name.** This identifies the applicant's individual winning bid(s) by name. Also displays the county and state where the item is located. Items cannot be deleted or modified.
- **Tribal Bidding Credit.** Percentage of credit is displayed if applicant had selected it on its short form application. This selection cannot be deleted or modified.
- **3G/4G.** Type of mobile service, either 3G (third generation as defined by section 54.1006(a)) or 4G (fourth generation as defined in section 54.1006(b)).
- **Attachments.** To help you keep track of uploaded files associated with each item, a **Show** link is displayed for each item showing the number of files that have been attached for the item. Clicking on the link will display a sub-window where you can see the attachment type, description, and upload date and time. Clicking on the description name allows you to view the attachment. Click on the **Hide** link to close the sub-window.
- **Status.** Status of each winning bid will be displayed after the long-form application is processed by Commission staff.
- **Alert.** This column displays an error indicator with one or more of the following icons:
  -  Indicates that you have not selected a mobile service type (3G or 4G) for that item.
  -  Indicates that you are missing one or more of the required attachments for that item.

### 3. Agreements Screen

In the Agreement section, the agreement information that was provided on the winning bidder's FCC Form 180 will be prefilled into its FCC Form 680. You may make changes to ensure that the winning bidder's agreement information remains complete and accurate. An applicant can edit any information that was pre-filled and/or add additional agreements if needed.

#### 4. Ownership Information Screens

Similarly, the ownership disclosure information that was provided on the winning bidder's FCC Form 180 will be prefilled into its FCC Form 680. Specifically, information in the FCC Form 180 data fields for the winning bidder's Disclosable Interest Holders (DIHs) and FCC Regulated Businesses (FRBs) will appear in the FCC Form 680. An applicant can edit any information that was pre-filled and should make changes to ensure that the winning bidder's ownership information remains complete and accurate.

A winning bidder must comply with the ownership disclosure requirements set forth in section 1.2112(a) of the Commission's rules, which is the same standard that was to be followed in completing the short-form application.<sup>9</sup> We provide in section I.C.7., below, guidelines for satisfying the ownership disclosure requirements.

You should refer to the discussion in this Public Notice concerning the possible consequences of certain kinds of changes.<sup>10</sup> While an applicant will be permitted to make minor modifications to its application, major modifications will result in a denial of the application.<sup>11</sup> In such event, the applicant also would be subject to an auction default payment for its winning bid(s).<sup>12</sup>

To add a DIH or FRB, click the **Add** button and the system will enable the appropriate fields for you to supply the additional information. You may also delete DIH and FRB entries. An applicant may add an attachment to its application to describe or explain any such changes. As mentioned above, any attachments that had been submitted in connection with the ownership disclosures on the FCC Form 180 will not be carried over automatically to the FCC Form 680.

#### 5. Summary

The *Summary* screens summarize information applicants have provided in previous screens, offering an overview of an applicant's FCC Form 680 to help locate specific information. These screens will appear prior to the *Certify and Submit* screens, in order to permit the applicant to review all the information entered in previous screens and to provide an opportunity to check for certain inconsistencies or omissions in the information within the FCC Form 680.

The first *Summary* screen, the *Summary Overview* screen, lists the first four series of screens in the application and provides a **VIEW/EDIT** button to access each one.

- Clicking **VIEW/EDIT** for Applicant Information produces a *Detail for Applicant Information* screen showing the information entered for each data entry field. To change any data item, the applicant should click the **Edit** icon for the relevant data field.
- Clicking **VIEW/EDIT** for Winning Bids takes the applicant to the *Winning Bids Summary* screen.
- Clicking **VIEW/EDIT** for Agreements takes the applicant to the *Agreements* screen discussed above in the Agreements section.

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<sup>9</sup> 47 C.F.R. §§ 1.2112(a), 54.1005.

<sup>10</sup> See section V.D., "Maintaining Accuracy of Information."

<sup>11</sup> 47 C.F.R. § 54.1005(b)(3).

<sup>12</sup> 47 C.F.R. § 1.21004.

- Clicking **VIEW/EDIT** for Ownership takes the applicant to the *View/Edit Ownership Disclosure Information* screen discussed above in the Ownership section.

Clicking on the **CHECK ERRORS** button initiates an automated check of the application. If the automated check encounters certain inconsistencies or omissions in information within the FCC Form 680 that must be corrected before submitting the application, the inconsistency or omission will be listed in an Error box at the top of the screen. To correct one of these errors, click its corresponding **EDIT** button. In addition, if the automated check encounters certain apparent inconsistencies or omissions that might render the application incomplete or deficient if the application is submitted with current information, the apparent error will be listed in a Warning box. To revise the information related to the apparent inconsistency or omission, click its corresponding **EDIT** button.

Each applicant is solely responsible for providing complete and accurate information in its FCC Form 680. The automated check is provided to assist applicants in completing the FCC Form 680. However, the automated check cannot be relied upon to determine whether the information provided is complete or accurate. The automated check may not catch all errors and applicants cannot rely on the automated check to determine the completeness or the accuracy of submitted information.

If the automated check does not encounter certain inconsistencies or omissions, a box will appear displaying the message “**No Errors found - You may continue to Certify and Submit.**” Applicants may then click the **CONTINUE TO CERTIFY** button.

## 6. Certify and Submit

The *Certify and Submit* screen is the fifth and final screen in FCC Form 680. In this screen, applicants provide certifications required of all winning bidders in the Tribal Mobility Fund Phase I auction.<sup>13</sup>

The *Certify and Submit* screen lists the certifications required of all winning bidders in the Commission’s Tribal Mobility Fund Phase I auction and requests that the applicant’s certifying official be identified and sign the application.

**Who Can Certify.** A long-form application may be certified by an authorized representative of the applicant, who has read the form’s instructions and certifications, and can certify that the contents of the application and its attachments are true and correct. For example, the long-form application may be certified by a partner, if the applicant is a partnership; or an officer, director, or duly-authorized employee, if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association. A duly-elected or appointed official who is authorized to do so under the laws of the applicable jurisdiction would certify on behalf of an eligible government entity.

Applicants are reminded that submission of an FCC Form 680 constitutes a representation by the certifying official that he or she is an authorized representative of the applicant and has read the form’s instructions and certifications, and that the contents of the application, its certifications and any attachments are true, complete and correct. Submission of a false certification to the Commission may result in a denial of Tribal Mobility Fund support, an auction default, and/or

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<sup>13</sup> See 47.C.F.R. § 54.1005.

penalties, including monetary forfeitures, license forfeitures, ineligibility to participate in future auctions, and/or criminal prosecution. A change of certifying official is considered a major change of the long-form application and will not be permitted after the application filing deadline. Additional details about the certifications can be found in this public notice.<sup>14</sup>

Once the *Certify and Submit* screen has been filled out, the application may be submitted by clicking on the **SUBMIT** button.

After the application has been submitted, a confirmation screen will be displayed that states the submission time and date, along with a unique file number. Applicants should print a copy of the confirmation page for their records. They may then view and print copies of their submitted applications by clicking on the **PRINT PREVIEW** button.

Long-form applications for Auction 902 must be submitted and confirmed prior to 6:00 p.m. ET on **Friday, April 4, 2014**. Late applications or unconfirmed submissions of electronic data will not be accepted.

#### **7. Guidelines for Reviewing and Updating Ownership Information**

You should use the following guidelines when reviewing the application's ownership information for accuracy and completeness. These guidelines are similar to those used in completing the short-form application because the ownership disclosure requirements set forth in section 1.2112(a) of the Commission's rules govern both the short- and long-form applications.

In the *Ownership* screens, applicants will provide information regarding parties with control or ownership interests in the applicant that must be disclosed pursuant to Commission rules.<sup>15</sup> Commission rules also require the disclosure and description of FCC-regulated businesses that are owned 10% or more by the applicant or by parties with certain ownership interests in the applicant.<sup>16</sup>

##### **a. Disclosable Interest Holders and FCC-Regulated Businesses**

Section 1.2112(a) of the Commission's rules list the interest holders in the applicant that must be disclosed in FCC Form 680.<sup>17</sup> **Applicants must report holders of both direct and indirect interests.**

Section 1.2112(a)(7) lists the FCC-regulated business entities, or applicants for an FCC license, that must be disclosed in FCC Form 680.<sup>18</sup>

The initial *Ownership* screen enables the applicant to add information regarding either a disclosable interest holder or the FCC-regulated businesses in which either the applicant has an ownership interest of 10% or more or parties with 10% or more ownership interest in the applicant have an ownership interest of 10% or more. Each screen will specify the information

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<sup>14</sup> See section V.C., "Long-Form Application (FCC Form 680) Certifications."

<sup>15</sup> 47 C.F.R. §§ 1.2112(a), 54.1005(b)(2).

<sup>16</sup> *Id.*

<sup>17</sup> Section 54.1005 requires the disclosure on the long-form application of information as set forth in section 1.2112(a). 47 C.F.R. §§ 1.2112(a), 54.1005.

<sup>18</sup> 47 C.F.R. § 1.2112(a)(7).



that the applicant must provide. Please note the following with respect to particular information requested:

- **If an application includes one or more disclosable interest holders with indirect ownership in the applicant,<sup>19</sup> the application must include an attachment describing the relationship between the indirect interest holder(s) and the applicant.** The attachment should provide an overview of the ownership chain that links the indirect owner(s) to the applicant, e.g., indirect owner X owns 50% of holding company Y; indirect owner Z owns 50% of holding company Y; and holding company Y owns 100% of the applicant.<sup>20</sup> One attachment connecting all indirect owners to the applicant is sufficient. Applicants should not provide separate attachments for each indirect owner. An overview of the ownership connections is sufficient. The attachment should not duplicate all the detailed information already provided in the data fields of the FCC Form 680. Also, as noted above, the Indirect Ownership attachment provided in an applicant's short-form application will not automatically be pre-filled on the winning bidder's long-form application. Therefore, if the applicant uploaded an Indirect Ownership attachment on its short-form application, it should upload the attachment to its long-form application, updated as necessary.
- The "Percent of Interest Held in Applicant" should reflect the disclosable interest holder's aggregate ownership interest in the applicant (both direct and indirect). In some cases, e.g., circumstances where there is joint ownership or indirect ownership resulting in different owners sharing the same ownership interests, the sum of all the percentages held by disclosable interest holders may exceed 100%. In other cases, a disclosable interest holder may have a 0% ownership interest in the applicant.
- FCC-regulated businesses in which the applicant has a direct interest of 10% or more can be entered from the initial *Add Ownership Disclosure Information* screen. FCC-regulated businesses in which a disclosable interest holder has a direct interest of 10% or more can be entered from the *Add FCC Regulated Business* screen in the series of screens for entering information about a disclosable interest holder.
- When adding an FCC-regulated business, "Percent of Interest Held" refers to the percent of interest held directly by the applicant or disclosable interest holder, as applicable, in the FCC-regulated business. FCC-regulated businesses in which the applicant or disclosable interest holder has an indirect interest need not be reported in the FCC Form 680.
- To simplify filling out the FCC Form 680, applicants can click on the **Select Business(es) Already Submitted** link when entering an FCC-regulated business previously entered as an FCC-regulated business for the applicant or another disclosable interest holder. When doing so, be certain to enter the "Percent of Interest Held" in the FCC-regulated business by the current party, either the applicant or the disclosable interest holder, with respect to which the FCC-regulated business is being entered.

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<sup>19</sup> 47 C.F.R. § 1.2112(a)(6).

<sup>20</sup> *Id.*



**b. View/Edit Ownership Disclosure Information**

The *View/Edit Ownership Disclosure Information* screen summarizes ownership information already entered in the FCC Form 680, either automatically from the winning bidder's FCC Form 180 or directly by the applicant, and provides links enabling existing information to be revised and additional information to be added.

Existing ownership information is divided into two groups:

- Disclosable Interest Holders of this Applicant<sup>21</sup>
- FCC-Regulated Businesses of this Applicant

To view the detailed information submitted regarding the applicant, a disclosable interest holder or FCC-regulated business, click on the relevant party's name. To delete existing information or add a new entry in one of the categories, click on the relevant link. This screen also provides a link enabling applicants to add an FCC-regulated business directly to an existing disclosable interest holder, without needing to reenter the disclosable interest holder's information.

**II. TECHNICAL SUPPORT**

For technical assistance with using FCC software, contact the FCC Technical Support Hotline at (877) 480-3201, option nine; (202) 414-1250; or (202) 414-1255 (TTY). The FCC Technical Support Hotline is available Monday through Friday from 8 a.m. to 6 p.m. ET. All calls to the FCC Technical Support Hotline are recorded.

*Paperwork Reduction Act Approval:* The FCC Form 680 was assigned control number 3060-1166 and was approved, as revised, by the Office of Management and Budget on April 16, 2012.

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<sup>21</sup> Existing ownership information in a Disclosable Interest Holder (DIH) entry includes the FCC Regulated Business (FRB) entries previously entered for that DIH, if any.