



# PUBLIC NOTICE

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## **CLEARING TARGET OF 114 MEGAHERTZ SET FOR STAGE 2 OF THE BROADCAST TELEVISION SPECTRUM INCENTIVE AUCTION; STAGE 2 BIDDING IN THE REVERSE AUCTION WILL START ON SEPTEMBER 13, 2016**

**The Incentive Auction Task Force and Wireless Telecommunications Bureau Also Announce the Number of Forward Auction Blocks for Stage 2 and Important Information Concerning the Reverse Auction (Auction 1001) and the Forward Auction (Auction 1002)**

**GN Docket No. 12-268**  
**AU Docket No. 14-252**  
**WT Docket No. 12-269**

1. By this Public Notice, the Incentive Auction Task Force (Task Force) and the Wireless Telecommunications Bureau (Bureau) announce the 114 megahertz spectrum clearing target that has been set by the Auction System's optimization procedure for the second stage (Stage 2) of the incentive auction. This Public Notice also describes the band plan associated with the 114 megahertz spectrum clearing target, and the number of Category 1 and Category 2 generic license blocks in each Partial Economic Area (PEA) that will be offered during the forward auction in Stage 2.

2. In addition, we provide details and specific dates regarding bidding and the availability of educational materials for Stage 2 of the incentive auction. We also remind reverse and forward auction applicants of their continuing obligations.

### **I. STAGE 2 CLEARING TARGET AND BAND PLAN**

3. The Auction System's clearing target determination procedure has set a spectrum clearing target of 114 megahertz for Stage 2 of the incentive auction. Under the band plan associated with this spectrum clearing target, 90 megahertz, or 9 paired blocks, of licensed spectrum will be offered in the forward auction on a near-nationwide basis. The following chart shows the band plan.

Stage 2 Clearing Target Band Plan<sup>1</sup>

|    |    |    |    |    |    |    |    |    |    |    |   |   |   |   |   |   |    |   |   |   |   |   |   |    |   |   |   |   |   |   |   |   |   |            |
|----|----|----|----|----|----|----|----|----|----|----|---|---|---|---|---|---|----|---|---|---|---|---|---|----|---|---|---|---|---|---|---|---|---|------------|
| 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 7 | A | B | C | D | 3 | 37 | 3 | E | F | G | H | I | 11 | A | B | C | D | E | F | G | H | I | 700 MHz UL |
|----|----|----|----|----|----|----|----|----|----|----|---|---|---|---|---|---|----|---|---|---|---|---|---|----|---|---|---|---|---|---|---|---|---|------------|

Number of Paired Blocks: 9  
 Total Megahertz: 114<sup>2</sup>

4. The generic license blocks<sup>3</sup> offered in the forward auction under this band plan will consist of a total of 3688 Category 1 blocks (zero to 15 percent impairment) and a total of five Category 2 blocks (greater than 15 percent and up to 50 percent impairment).<sup>4</sup> Approximately 99.9 percent of the blocks offered will be Category 1 blocks, and 99.8 percent of the Category 1 blocks will be zero percent impaired.<sup>5</sup> Attached to this Public Notice as Appendix A is a list indicating the number of Category 1 and Category 2 blocks available in each PEA.<sup>6</sup>

5. The clearing target for Stage 2 was determined by applying the subsequent stage clearing target determination procedure adopted in the *Auction 1000 Bidding Procedures Public Notice*.<sup>7</sup> Under this procedure, the optimization tool determined a new provisional television assignment plan for the UHF band at the 114 megahertz clearing target (the next lowest clearing target in the 600 MHz Band Plan after the 126 megahertz initial stage clearing target)<sup>8</sup> using the same objectives as in the initial clearing target optimization, taking into account the additional channel in the TV band and any participating

<sup>1</sup> The lettered squares in the chart represent the paired wireless blocks to be offered, while the sequentially numbered squares (and 37) represent television (TV) channels. The rectangles labeled 3, 7, and 11 are the guard bands and duplex gap, with the numbers representing their respective sizes in megahertz. See *Broadcast Incentive Auction Scheduled to Begin March 29, 2016; Procedures for Competitive Bidding in Auction 1000, Including Initial Clearing Target Determination, Qualifying to Bid, and Bidding in Auctions 1001 (Reverse) and 1002 (Forward)*, Public Notice, 30 FCC Rcd 8975, 8980-81, para. 5 (2015) (*Auction 1000 Bidding Procedures Public Notice*) (showing the band plan scenario associated with each possible clearing target).

<sup>2</sup> The highest physical channel in the TV band for the 114 megahertz clearing target is channel 31.

<sup>3</sup> “Blocks” refers to a set of paired spectrum blocks offered during the clock phase, which will result in frequency-specific licenses in the assignment phase.

<sup>4</sup> See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9047-48, para. 144. “Impairments” are areas within the license area that are subject to inter-service interference. See *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6567, 6884, para. 781 (2014) (modified by Erratum (rel. June 3, 2014)).

<sup>5</sup> A total of 51 blocks will not be offered because the percentage of the population subject to inter-service interference exceeds 50 percent.

<sup>6</sup> For details regarding PEAs, see *Wireless Telecommunications Bureau Provides Details About Partial Economic Areas*, Public Notice, 29 FCC Rcd 6491 (WTB 2014); see also 47 CFR § 27.6(l).

<sup>7</sup> See *Application Procedures for Broadcast Incentive Auction Scheduled to Begin on March 29, 2016; Technical Formulas for Competitive Bidding*, Public Notice, 30 FCC Rcd 11034, 11125-43 (WTB 2015) (*Auction 1000 Application Procedures Public Notice*).

<sup>8</sup> The clearing target for any subsequent stage of the auction generally will be the next lowest clearing target in the 600 MHz Band Plan. *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9096, para. 260. See also *Initial Clearing Target of 126 Megahertz Set for the Broadcast Television Spectrum Incentive Auction; Bidding in the Clock Phase of the Reverse Auction (Auction 1001) Will Start on May 31, 2016*, Public Notice, 31 FCC Rcd 3863 (WTB 2016) (*Initial Clearing Target Public Notice*); *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 8980-81, para. 5.

stations that have dropped out of the auction in the previous stage.<sup>9</sup> Based on the new provisional television channel assignment plan, the nationwide impaired weighted-pops were calculated on a 2x2 cell level and the one-block-equivalent nationwide standard for impairments was applied.<sup>10</sup>

## II. IMPORTANT INFORMATION CONCERNING THE REVERSE AUCTION (AUCTION 1001)

6. Below we provide information regarding the availability of educational and informational materials concerning Stage 2 of the reverse auction portion of the incentive auction. Further information is available on the Commission's Auction 1001 website at [www.fcc.gov/auctions/1001](http://www.fcc.gov/auctions/1001).

7. **Online Stage 2 Tutorial.** An online tutorial on bidding procedures specific to Stage 2 of the reverse auction portion of the incentive auction (and any subsequent stage, if necessary) will be available on Thursday, September 1, 2016. This new tutorial will be accessible from the Auction 1001 website through a link under the "Education" section. We strongly recommend that all reverse auction bidders review the new tutorial. Once posted, it will remain available and accessible on the Auction 1001 website for reference.<sup>11</sup>

8. **Accessing the Auction System for Stage 2.** Any bidder that had one or more stations with the status "Frozen – Provisionally Winning" at the end of the previous stage will be able to log in to the Reverse Auction Bidding System for Stage 2. Starting at 10:00 a.m. Eastern Time (ET) on Wednesday, September 7, 2016,<sup>12</sup> such a bidder can log in and view the bidding status,<sup>13</sup> and, where applicable, the following information for round 1 of the new stage for each of the bidder's stations that qualified to participate in the clock rounds of the reverse auction: initial bid option,<sup>14</sup> available bid options, vacancy ranges, and clock price offers.

9. A bidder will need to use the RSA SecurID<sup>®</sup> tokens (RSA tokens) it used for placing bids in the previous stage to access the Reverse Auction Bidding System for Stage 2. RSA tokens with

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<sup>9</sup> See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9096, para. 260. Each lower clearing target adds one or more channels back to the TV band, resulting in additional space to accommodate feasible channel assignments for stations.

<sup>10</sup> See *id.*

<sup>11</sup> We also remind each bidder that section 8 (Features of Stage 2 and Any Subsequent Stages) of the Reverse Auction Bidding System User Guide provides information on the Reverse Auction Bidding System's features specific to Stage 2 and any subsequent stages of the incentive auction. The Reverse Auction Bidding System User Guide is available on the Commission's Auction 1001 website through a link under the "Education" section.

<sup>12</sup> If a bidder has only stations that exited the auction in the previous stage, either voluntarily or because they were not needed, the bidder will not be able to log in to the system for Stage 2. Once a station has exited the auction, either in the previous stage or during any round in the current stage, the station will no longer be offered prices nor be allowed to place bids in the reverse auction. See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9037, 9041-42, 9097-98, paras. 116, 128-29, 264.

<sup>13</sup> At the beginning of a new stage, the auction system will re-evaluate the bidding status of each station that was "Frozen – Provisionally Winning" in the prior stage of the reverse auction in light of the reduced clearing target. *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9097, para. 262.

<sup>14</sup> If a station did not exit the auction in the previous stage and the Auction System determines it is needed in Stage 2, the station's initial option in the new stage will be identical to that station's currently held option at the end of the previous stage. See *Auction 1000 Application Procedures Public Notice*, 30 FCC Rcd at 11159.

previously set personal identification numbers (PINs) may be used without setting a new PIN.<sup>15</sup> Each bidder will be able to access the Reverse Auction Bidding System at the same web address used during the previous stage.<sup>16</sup> In addition, the FCC Auction Bidder Line phone number for Stage 2 will be the same number used for the previous stage.<sup>17</sup>

10. **Returning RSA Tokens.** Each bidder that did not have any stations with the status “Frozen – Provisionally Winning” at the end of the previous stage will be sent a pre-addressed, stamped envelope to return its RSA tokens. As RSA tokens can be recycled, we encourage each bidder that receives this envelope to return its tokens to the Commission.

11. **Clocks Rounds Start Date and Round Schedule.** Bidding in the clock rounds of Stage 2 of Auction 1001 will begin on Tuesday, September 13, 2016, on the following schedule:

|                    |               |                           |
|--------------------|---------------|---------------------------|
| September 13, 2016 | Bidding Round | 10:00 a.m. – 2:00 p.m. ET |
|--------------------|---------------|---------------------------|

12. Starting on Wednesday, September 14, 2016, and continuing until further notice, the schedule will be:

|               |                            |
|---------------|----------------------------|
| Bidding Round | 10:00 a.m. – 12:00 p.m. ET |
| Bidding Round | 3:00 p.m.– 5:00 p.m. ET    |

13. The Bureau may adjust the number and length of bidding rounds based upon its monitoring of the bidding and assessment of the reverse auction’s progress. We will provide notice of any adjustment by announcement in the Reverse Auction Bidding System during the course of the auction.

14. **Reset Base Clock Price and Clock Decrement for Round 1 of Stage 2.** The base clock price has been reset to \$900 per unit of volume for Stage 2 of the reverse auction.<sup>18</sup> The price decrement for round 1 of Stage 2 of the reverse auction will be five percent of the reset base clock price.<sup>19</sup>

<sup>15</sup> Any authorized bidder that has not already set a PIN for his or her designated RSA token (e.g., an authorized bidder recently identified on Form 177 or one using a replacement RSA token) must set a PIN as described in the materials sent with the Second Confidential Status Letter. *See Wireless Telecommunications Bureau and Incentive Auction Task Force Send Notifications Regarding Status of Applications for the Reverse Auction (Auction 1001); Applicants Deemed Complete to Receive Materials and Instructions for Making Initial Commitments*, Public Notice, 31 FCC Rcd 2043 (WTB 2016). Any bidder that had one or more stations with the status “Frozen – Provisionally Winning” at the end of the previous stage who has difficulty accessing the Auction System should contact our Technical Support Hotline at the phone numbers listed below.

<sup>16</sup> The link to the Reverse Auction Bidding System was provided in the “Quick Information Summary” sheet enclosed with the Final Confidential Status Letter sent to each bidder qualified to participate in the reverse auction clock rounds. *See also Initial Clearing Target Public Notice*, 31 FCC Rcd at 3865, paras. 7-8.

<sup>17</sup> The FCC Auction Bidder Line phone number was provided to each bidder qualified to bid in the clock rounds of the reverse auction in a confidential enclosure to the Final Confidential Status Letter. The phone number is also listed in the “Quick Information Summary” sheet enclosed with the Final Confidential Status Letter.

<sup>18</sup> At the beginning of a new stage, the Reverse Auction Bidding System will reset the base clock price. *See Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9097, paras. 262-63.

<sup>19</sup> *See id.* at 9032-34, paras. 108-09.

### III. IMPORTANT INFORMATION CONCERNING THE FORWARD AUCTION (AUCTION 1002)

15. **Bidding in Stage 2.** Bidding in the clock phase of Stage 2 of the forward auction will begin on the next business day after the close of bidding in Stage 2 of the reverse auction.<sup>20</sup> The schedule for bidding in Stage 2 of the forward auction will be announced in the Forward Auction Bidding System and in the Incentive Auction Public Reporting System (PRS).<sup>21</sup> Each bidder is also strongly encouraged to regularly monitor the PRS for announcements and other important information related to bidding in Stage 2 of the forward auction. The PRS can be accessed directly at [auctiondata.fcc.gov](http://auctiondata.fcc.gov) and from a link under the Results section of the Auction 1001 website ([www.fcc.gov/auctions/1001](http://www.fcc.gov/auctions/1001)) and the Auction 1002 website ([www.fcc.gov/auction/1002](http://www.fcc.gov/auction/1002)).

16. **Accessing the Forward Auction Bidding System in Stage 2.** Any bidder that is eligible to bid in Stage 2 of the forward auction will be able to access the Forward Auction Bidding System beginning at 10:00 a.m. ET on Thursday, September 8, 2016.<sup>22</sup> Such a bidder can log in to the Forward Auction Bidding System using the same RSA tokens, web address, and instructions provided in the bidder registration materials from Stage 1 of the forward auction.<sup>23</sup> Upon logging in to this system, a bidder can download detailed impairment information for Stage 2, as well as the stage transition files.<sup>24</sup> The detailed impairment information and bidder-specific information, including stage transition files and Stage 1 bidding information, are non-public and are provided only to eligible bidders to help guide their bidding

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<sup>20</sup> See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9042-43, para. 133. Each bidder should note that there will be neither a practice auction nor a mock auction prior to the start of bidding in Stage 2 of the forward auction.

<sup>21</sup> For planning purposes, a forward auction bidder may estimate how long bidding in Stage 2 of the reverse auction might run and, in turn, when bidding in Stage 2 of the forward auction would be likely to begin by using as a guide the duration of bidding in Stage 1 of the reverse auction. Bear in mind, however, that bidding in Stage 2 of the reverse auction may require fewer rounds based on the reset base clock price, the scheduled number of daily clock rounds, and how quickly newly-active stations either drop out or become provisionally winning. See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9033, para. 109 & n.348.

<sup>22</sup> Any bidder with zero eligibility by the end of Stage 1 will not be eligible to bid in Stage 2 of the forward auction.

<sup>23</sup> Each forward auction eligible bidder should carefully review and re-familiarize itself with the instructions and other information contained in its registration materials. See *62 Applicants Qualified to Bid in the Forward Auction (Auction 1002) of the Broadcast Television Incentive Auction; Clock Phase Bidding to Begin on August 16, 2016*, Public Notice, DA 16-796, at 2-3, paras. 5-8 (WTB July 15, 2016) (*Auction 1002 Qualified Bidders Public Notice*). We also remind each bidder that the *Auction 1000 Bidding Procedures Public Notice* and section 15 (New Stage) of the Forward Auction Clock Phase Bidding Tutorial provide information about bidder demands and bidding eligibility specific to Stage 2 and any subsequent stages of the forward auction. See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9098-9100, paras. 265-70. The Forward Auction Clock Phase Bidding Tutorial is available on the Commission's Auction 1002 website through a link under the "Education" section.

<sup>24</sup> For more information on how to access and download this information in the Forward Auction Bidding System, please see sections 3.2, 5, and 9.2.2.2 of the Forward Auction Bidding System User Guide, which is available on the Commission's Auction 1002 website through a link under the "Education" section. See also *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9043-46, paras. 134-36. The Impairment File Formats (updated Mar. 24, 2016), Impairment Data Download Reference files, and the Forward Auction Clock Phase File Formats (for the stage transition file specifications) are available on the Commission's Auction 1002 website through a link under the "Data" section. Note that the files under the Bids/Status tab will be incomplete until the schedule for round 1 is announced in the Forward Auction Bidding System.

in Stage 2 of the forward auction.<sup>25</sup> This information will not be disclosed publicly until after the auction concludes.

17. **Returning RSA Tokens.** Each bidder that is no longer eligible to participate in the forward auction (i.e., any bidder that has zero eligibility by the end of Stage 1) will be sent a pre-addressed, stamped envelope to return its RSA tokens. As RSA tokens can be recycled, we encourage each bidder that receives this envelope to return its tokens to the Commission.

18. **Activity Rule for Round 1 of Stage 2.** Starting in the first round of Stage 2, each bidder must be active on at least 95 percent of its bidding eligibility to maintain its bidding eligibility for the next round. Any changes to the activity requirement in subsequent rounds will be announced via the Forward Auction Bidding System.<sup>26</sup> Prior to the start of Stage 2 of the forward auction, a bidder may view its initial eligibility and required activity for round 1 by downloading the My Bidder Status file under the Bid/Status tab.

19. **Clock Increment for Round 1 of Stage 2.** We will use an increment of five percent to set clock prices for products in round 1 of Stage 2 of the forward auction. Prior to the announcement of the forward auction bidding schedule for Stage 2, a bidder may view the clock prices for round 1 by downloading the Sample Bids file in the Forward Auction Bidding System.<sup>27</sup>

#### IV. PUBLIC REPORTING SYSTEM

20. As was the case for Stage 1 of the incentive auction, publicly available bidding and timing information for Stage 2 of the reverse auction and the forward auction will be accessible through the PRS. The public can access the PRS directly at [auctiondata.fcc.gov](http://auctiondata.fcc.gov) and from a link under the Results section of the Auction 1001 website ([www.fcc.gov/auctions/1001](http://www.fcc.gov/auctions/1001)) and the Auction 1002 website ([www.fcc.gov/auction/1002](http://www.fcc.gov/auction/1002)). The PRS will display the same types of bidding and other information for Stage 2 as was available for Stage 1. For more information about the types of bidding and other information available in the PRS, please see the *Public Reporting System Public Notice*.<sup>28</sup>

21. We strongly encourage each forward auction bidder to regularly monitor the PRS during Stage 2 of the reverse auction for announcements and other important information related to bidding in Stage 2 of the forward auction (e.g., the bidding schedule). Each reverse auction bidder is also strongly encouraged to monitor the PRS during the forward auction for information related to bidding in subsequent stages of the incentive auction, if necessary.

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<sup>25</sup> Impairment information and bidder-specific information, including stage transition files and Stage 1 bidding information, are considered part of a bidder's bidding strategy, and therefore, should be treated as such. See *Guidance Regarding the Prohibition of Certain Communications During the Incentive Auction, Auction 1000*, Public Notice, 30 FCC Rcd 10794 (WTB 2015) (*Prohibited Communications Public Notice*).

<sup>26</sup> See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9049-50, para. 147.

<sup>27</sup> See *id.* at 9071-72, paras. 193-94. For additional information about clock prices and how to download the Sample Bids file, see section 9.6.3 (Calculating Next Round Clock Prices) of the Forward Auction Clock Phase Bidding Tutorial and section 7.6.1 of the Forward Auction Bidding System User Guide, which are available on the Auction 1002 website through a link under the "Education" section.

<sup>28</sup> See *Wireless Telecommunications Bureau and Incentive Auction Task Force Announce the Availability of Incentive Auction Information through the Incentive Auction Public Reporting System*, Public Notice, 31 FCC Rcd 5394 (WTB 2016).

**V. BIDDING CONTINGENCY PLAN**

22. As a reminder, each bidder should develop a comprehensive contingency plan that can be quickly implemented in case difficulties arise when participating in the incentive auction. While the Commission will correct any problems with Commission-controlled facilities, each bidder is solely responsible for anticipating and overcoming problems such as bidder computer failures or other technical issues, loss of or problems with data connections (including those used to access and place bids in the Reverse Auction Bidding System or the Forward Auction Bidding System), telephone service interruptions, adverse local weather conditions, unavailability of its authorized bidders, or the loss or breach of confidential security codes.

23. A bidder should ensure that each of its authorized bidders can access and place bids in the Reverse Auction Bidding System or Forward Auction Bidding System, and it should not rely upon the same computer or data connection to do so. Contingency plans will ideally include arrangements for accessing and placing bids in the Reverse Auction Bidding System or the Forward Auction Bidding System from one or more alternative locations.

24. We remind each bidder that its contingency plans might include, among other arrangements, calling the Auction Bidder Line. If a bidder encounters a situation in which it must implement its backup plan and call the Auction Bidder Line, it should do so as soon as possible and as early in the round as possible. Calling at the beginning of a round will help ensure that the call can be completed before the end of the round. Failure to call early in the round may affect the bidder's ability to submit some or all of its bids before the round closes.

25. As a further reminder for each reverse auction bidder, failure to submit a bid for a station with the status "Bidding" is considered to be a missing bid and will be interpreted as a bid to drop out of the auction.<sup>29</sup> The Reverse Auction Bidding System will automatically submit a bid to drop out of the auction for all stations with missing bids.<sup>30</sup> The status of a station that bids to drop out of the auction will be "Exited – Voluntarily" once bid processing is complete for the round (unless the station first becomes frozen).<sup>31</sup> Once a station has the status "Exited," a bidder cannot bid for the station in any subsequent round or stage.<sup>32</sup>

26. We remind each forward auction bidder that its failure to submit a bid during a clock round will be considered a missing bid and will be treated as a bid for zero blocks, at the lowest price in the price range for the round, for any products in which the bidder had processed demand from the previous round.<sup>33</sup> If there is insufficient excess demand, the "missing" bid may be partially applied or not applied at all and the bidder will continue to have processed demand for the product in the next round. If the "missing" bid is partially or fully applied, that bidder's eligibility may be irrevocably reduced in the next round.

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<sup>29</sup> See *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9041, para. 128.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> As a reminder, there are no activity rule waivers to preserve a bidder's eligibility in the forward auction. *Auction 1000 Bidding Procedures Public Notice*, 30 FCC Rcd at 9077, para. 213.

## VI. CONTINUING OBLIGATIONS

27. **Due Diligence.** We remind each reverse and forward auction bidder that it is solely responsible for investigating and evaluating all legal, technical, and marketplace factors and risks that may have a bearing on the bid(s) it submits in the incentive auction.<sup>34</sup> Each bidder should continue its due diligence research and analysis throughout the auction.<sup>35</sup> The burden is on a bidder to determine how much research to undertake, depending upon specific facts and circumstances related to its interests, and to undertake its own assessment of the relevance and importance of information gathered as part of its due diligence efforts.<sup>36</sup> For more information, each bidder should review the *Auction 1000 Application Procedures Public Notice*.<sup>37</sup>

28. **Prohibited Communications Reminder.** We remind all full power and Class A broadcast television licensees, as well as forward auction applicants, that they remain subject to the Commission's rules prohibiting certain communications in connection with Commission auctions. For communications among broadcasters, and between broadcasters and forward auction applicants, the prohibited communication period ends when the results of the incentive auction are announced by public notice.<sup>38</sup> For communications among forward auction applicants, the period ends on the deadline for making down payments on winning bids.<sup>39</sup> A party that is subject to the prohibition remains subject to the prohibition regardless of developments during the auction process.<sup>40</sup>

29. We further remind each full power and Class A broadcast television licensee that even though communicating whether or not a party filed an application to participate in the reverse auction does not violate the rules prohibiting certain communications, communicating that a party "is not bidding" in or has "exited" the reverse auction could constitute an apparent violation that needs to be reported.<sup>41</sup> In other words, a reverse auction applicant that is not qualified to bid may nevertheless violate the prohibition by communicating its status to another covered party, regardless of the reason that it is not qualified.

30. We also remind all forward auction applicants, including those that did not qualify to bid and those that have since lost eligibility to bid in the forward auction, that they remain subject to the rules prohibiting certain communications until the deadline for making down payments on winning bids.

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<sup>34</sup> See 47 CFR § 1.2204(c)(7) (requiring a reverse auction applicant to certify that it agrees it has this responsibility). See also *Auction 1002 Qualified Bidders Public Notice* at 11-12, para. 48.

<sup>35</sup> See *Auction 1002 Qualified Bidders Public Notice* at 12, para. 49. Many of the relevant Commission orders and public notices relating to both the reverse and forward auctions are available on the incentive auction website, located at [www.fcc.gov/auctions/1000](http://www.fcc.gov/auctions/1000).

<sup>36</sup> See *Auction 1002 Qualified Bidders Public Notice* at 11-12, para. 48.

<sup>37</sup> See *Auction 1000 Application Procedures Public Notice*, 30 FCC Rcd at 11040-41, 11059-61, paras. 9-10, 80-82.

<sup>38</sup> 47 CFR § 1.2205.

<sup>39</sup> 47 CFR § 1.2105(c); see also *Prohibited Communications Public Notice*, 30 FCC Rcd 10794.

<sup>40</sup> *Prohibited Communications Public Notice*, 30 FCC Rcd at 10794-95, para. 2.

<sup>41</sup> *Id.* at 10797, para. 9.



31. The Commission's rules require covered parties to report violations of the prohibition of certain communications to the Commission.<sup>42</sup> Failure to make a timely report under the rule constitutes a continuing violation of the rule, with attendant consequences.

32. For a thorough discussion of the prohibition of certain communications during the incentive auction, please refer to the *Prohibited Communications Public Notice*.<sup>43</sup>

33. **Making Modifications to Applications.** We remind each reverse and forward auction applicant that the Commission's rules require an applicant to maintain the accuracy and completeness of information furnished in its application to participate in Auctions 1001 and 1002, respectively.<sup>44</sup> Each applicant should amend its application to furnish additional or corrected information within five days of a significant occurrence, or no more than five days after the applicant becomes aware of the need for amendment.<sup>45</sup> Any applicant that needs to make permissible minor changes to its FCC Form 177 or FCC Form 175, or that must make changes in order to maintain the accuracy and completeness of its application, must do so using the procedures described in the *Auction 1000 Application Procedures Public Notice* and the *Auction 1002 Qualified Bidders Public Notice*.<sup>46</sup> All changes are subject to review by Commission staff.

34. For more information on an applicant's continuing obligation to maintain the accuracy and completeness of information furnished in its application to participate in Auction 1001 or Auction 1002, respectively, an applicant should refer to previous incentive auction public notices, including the *Auction 1000 Application Procedures Public Notice* and the *Auction 1002 Qualified Bidders Public Notice*.<sup>47</sup>

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<sup>42</sup> See 47 CFR §§ 1.2105(c)(4), 1.2205(c)-(d). Reports must be filed with Margaret W. Wiener, Chief of the Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, by the most expeditious means available. Any such report should be submitted by email to Ms. Wiener at the following email address: [auction1000@fcc.gov](mailto:auction1000@fcc.gov). Any report in hard copy must be delivered only to Margaret W. Wiener, Chief, Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 6-C217, Washington, D.C. 20554.

<sup>43</sup> See *Prohibited Communications Public Notice*, 30 FCC Rcd 10794.

<sup>44</sup> 47 CFR §§ 1.65, 1.2105(b)(4), 1.2204(d)(5).

<sup>45</sup> 47 CFR §§ 1.2105(b)(4), 1.2204(d)(5).

<sup>46</sup> *Auction 1000 Application Procedures Public Notice*, 30 FCC Rcd at 11053-54, 11082-84, paras. 51-54, 143-48; *Auction 1002 Qualified Bidders Public Notice* at 10-11, paras. 45-47. If an applicant wants or needs to make changes to its FCC Form 177 or FCC Form 175 while the Auction System is available, the applicant must make those changes electronically using the Auction System. Please note that to access its FCC Form 177 or FCC Form 175, an applicant must log in via the Internet through different links than those previously provided in the *Auction 1000 Application Procedures Public Notice*. Each applicant should now use [auctionsignon.fcc.gov](http://auctionsignon.fcc.gov) (primary location) or [auctionsignon2.fcc.gov](http://auctionsignon2.fcc.gov) (secondary location). Additionally, each applicant must also submit a letter briefly summarizing the changes to its FCC Form 177 by email to [auction1001@fcc.gov](mailto:auction1001@fcc.gov), or to its FCC Form 175 by email to [auction1002@fcc.gov](mailto:auction1002@fcc.gov). If an applicant wants or needs to make changes at a time when the Auction System is unavailable, the applicant must make those changes using the procedures described in the *Auction 1000 Application Procedures Public Notice*. *Auction 1000 Application Procedures Public Notice*, 30 FCC Rcd at 11053-54, 11082-84, paras. 51-54, 143-48.

<sup>47</sup> See *Auction 1000 Application Procedures Public Notice*, 30 FCC Rcd at 11053-54, 11082-84, paras. 51-54, 143-48; *Auction 1002 Qualified Bidders Public Notice* at 10-11, paras. 45-47. Questions about changes to an applicant's FCC Form 177 or FCC Form 175 should be directed to the Auctions and Spectrum Access Division at (202) 418-0660 or by email to [auction1001@fcc.gov](mailto:auction1001@fcc.gov) (FCC Form 177) or [auction1002@fcc.gov](mailto:auction1002@fcc.gov) (FCC Form 175).

**VII. ADDITIONAL INFORMATION**

35. For general auction questions, contact Linda Sanderson, [Linda.Sanderson@fcc.gov](mailto:Linda.Sanderson@fcc.gov), (717) 338-2868. For reverse auction legal questions, contact Erin Griffith, [Erin.Griffith@fcc.gov](mailto:Erin.Griffith@fcc.gov), (202) 418-0660, or Kathryn Hinton, [Kathryn.Hinton@fcc.gov](mailto:Kathryn.Hinton@fcc.gov), (202) 418-0660. For forward auction legal questions, contact Leslie Barnes, [Leslie.Barnes@fcc.gov](mailto:Leslie.Barnes@fcc.gov), (202) 418-0660, or Valerie Barrish, [Valerie.Barrish@fcc.gov](mailto:Valerie.Barrish@fcc.gov), (202) 418-0660. Press contact: Charles Meisch, [Charles.Meisch@fcc.gov](mailto:Charles.Meisch@fcc.gov), (202) 418-2943. Additional information for reverse auction applicants is available at the Auction 1001 website ([www.fcc.gov/auctions/1001](http://www.fcc.gov/auctions/1001)). Additional information for forward auction applicants is available at the Auction 1002 website ([www.fcc.gov/auctions/1002](http://www.fcc.gov/auctions/1002)). For technical support questions, contact the FCC Auctions Technical Support Hotline at (877) 480-3201, option nine, or at (202) 414-1250.<sup>48</sup> The Auction Bidder Line will remain open between stages from 9:00 a.m. – 5:30 p.m. ET, Monday through Friday.<sup>49</sup>

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<sup>48</sup> The hours of operation for the Technical Support Hotline are 8:00 a.m. – 6:00 p.m. ET, Monday through Friday (TTY: (202) 414-1255).

<sup>49</sup> Please note that on Friday, September 2, 2016, the Auction Bidder Line will close at 3:00 p.m. ET due to the Labor Day holiday.