

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Expanding the Economic and Innovation) GN Docket No. 12-268
Opportunities of Spectrum Through Incentive)
Auctions)
Policies Regarding Mobile Spectrum Holdings) WT Docket No. 12-269
Competitive Bidding Procedures for Broadcast) AU Docket No. 14-252
Incentive Auction 1000, Including Auctions 1001)
and 1002)
Amendment of Parts 15, 73 and 74 of the) MB Docket No. 15-146
Commission’s Rules to Provide for the)
Preservation of One Vacant Channel in the UHF)
Television Band for Use by White Spaces Devices)
and Wireless Microphones)

ORDER

Adopted: July 20, 2017

Released: July 20, 2017

By the Chiefs, Media Bureau and Wireless Telecommunications Bureau:

I. INTRODUCTION

1. In this Order, we grant a request by the National Association of Broadcasters (NAB) to withdraw as moot its Petition for Reconsideration¹ and its Petition for Clarification² (collectively, “the Petitions”) of the Commission’s Bidding Procedures Public Notice, which adopted competitive bidding procedures for the broadcast incentive auction.³ The Petition for Reconsideration requested that the Commission reconsider its decision to relocate broadcasters in the duplex gap (under some band plan scenarios) and to reconsider its standard for market variability “in light of recent progress the Commission has made in international coordination with Canada and Mexico.”⁴ The Petition for

¹ Petition for Reconsideration of the National Association of Broadcasters, GN Docket No. 12-268, WT Docket No. 12-269, AU Docket No. 14-252, MB Docket No. 15-146 (filed Sept. 10, 2015), https://ecfsapi.fcc.gov/file/60001323727.pdf (Petition for Reconsideration).

² Petition for Clarification of the National Association of Broadcasters, GN Docket No. 12-268, WT Docket No. 12-269, AU Docket No. 14-252, MB Docket No. 15-146 (filed Sept. 11, 2015), https://ecfsapi.fcc.gov/file/60001323769.pdf (Petition for Clarification).

³ 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, 8977, para. 1 (2015) (Bidding Procedures Public Notice).

⁴ Petition for Reconsideration at 2.

Clarification requested that the Commission clarify that stations not participating in the auction will not be treated differently than participating stations, and in particular, that the Commission's software "will not assign to the 600 MHz band only stations that do not participate or do not participate in a certain manner."⁵ On June 30, 2017, NAB filed a request for withdrawal of the Petitions.⁶

2. Accordingly, IT IS ORDERED that, pursuant to the authority found in Sections 6402 and 6403 of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, 47 U.S.C. §§ 309(j)(8)(G), 1452, Sections 4(i) and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 405, and Sections 0.61, 0.131, 0.204(b), 0.283, 0.331, 1.2, 1.8, and 1.429 of the Commission's Rules, 47 CFR §§ 0.61, 0.131, 0.204(b), 0.283, 0.331, 1.2, 1.8, and 1.429, the request for withdrawal filed by the National Association of Broadcasters IS GRANTED, and the petitions for reconsideration and clarification filed by the National Association of Broadcasters ARE DISMISSED.

3. IT IS FURTHER ORDERED, pursuant to Section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), that this order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey
Chief
Media Bureau

Donald Stockdale
Chief
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⁵ Petition for Clarification at 6.

⁶ Request to Withdraw Petition for Reconsideration and Petition for Clarification, GN Docket No. 12-268, WT Docket No. 12-269, AU Docket No. 14-252, MB Docket No. 15-146 (filed June 30, 2017), <https://ecfsapi.fcc.gov/file/106302724025148/withdrawal12-2680630.pdf>.