



# PUBLIC NOTICE

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## INCENTIVE AUCTION TASK FORCE AND MEDIA AND WIRELESS TELECOMMUNICATIONS BUREAUS ANNOUNCE THE COMMISSION IS READY TO PAY REVERSE AUCTION WINNING BIDS

1. By this Public Notice, the Incentive Auction Task Force and the Media and Wireless Telecommunications Bureaus of the Federal Communications Commission (“Commission”) identify each station subject to a winning reverse auction bid in the broadcast television spectrum incentive auction for which an incentive payment is ready to be paid. Commission staff has directed the U.S. Treasury to make incentive payments for each station listed in the attachment to this Public Notice, which includes every station subject to a winning bid in the reverse auction that has provided sufficient banking information to facilitate payment. Subsequent public notice(s) will announce when Commission staff has directed the U.S. Treasury to make incentive payments for any additional station(s) subject to a winning bid that subsequently provide sufficient banking information to facilitate payment.

2. On April 13, 2017, the Commission completed the broadcast television spectrum incentive auction (Auction 1000) and announced the auction results, including the winning bids in the reverse auction (Auction 1001).<sup>1</sup> The attachment to this Public Notice provides the following information with respect to each of the winning bids in the reverse auction for which an incentive payment is now ready to be paid:

- Bidder as of the *Closing and Channel Reassignment Public Notice* (Licensee)
- Facility ID
- The FCC Registration Number (FRN) associated with the Facility ID as of the *Closing and Channel Reassignment Public Notice*
- Go Off-Air Date<sup>2</sup>
- Reason for the go off-air date (i.e., Off-Air; Channel Sharing; Band Changing)

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<sup>1</sup> *Incentive Auction Closing and Channel Reassignment Public Notice; Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, DA 17-314 (MB/WTB Apr. 13, 2017) (*Closing and Channel Reassignment Public Notice*).

<sup>2</sup> A station with a winning bid to go off-air that will relinquish its spectrum usage rights and cease broadcasting may relinquish its license prior to the receipt of its incentive payment provided that, before terminating: (1) it complies with the viewer and MVPD notification requirements of the Commission’s rules; and (2) it submits the requisite Suspension of Operations Notification and Request to Cancel License. In addition, such a license relinquishment station that retains its license during the 90-day period after receipt of its incentive payment does not have to continue operating for the entire 90-day period. Such a station may permanently discontinue operation at any time during the 90-day period after receipt of the incentive payment provided that before terminating it complies with the notice and filing requirements. See *Closing and Channel Reassignment Public Notice* at 26, para. 75.

3. The Commission staff has directed the U.S. Treasury to disburse incentive payments for the winning bids identified in the attachment.<sup>3</sup> The Commission does not control the precise date on which the U.S. Treasury will make each incentive payment or when each incentive payment will be received in the account identified by the licensee or when it will become available to the account holder. Consequently, for purposes of implementing Commission rules and procedures that establish deadlines based on when a licensee receives its incentive payment, a station with a winning bid will be considered to have received its incentive payment five (5) business days after the release date of this Public Notice.<sup>4</sup>

4. For a station with a go off-air winning bid that did not have a channel sharing agreement prior to the auction and did not indicate an intent to enter into a post-auction channel sharing agreement (go off-air station), the “go off-air date” is determined by counting five business days from the date of this Public Notice (to allow for receipt of the incentive payment) and then adding the 90 days provided by Commission rule.<sup>5</sup> For a station with a go off-air winning bid that had a channel sharing agreement that was disclosed in its auction application or that indicated an intent to enter into a channel sharing agreement after the auction (channel sharee station), the “go off-air date” is determined by counting five business days from the release date of this Public Notice (to allow for receipt of the incentive payment) and then adding the 180 days provided by Commission rule.<sup>6</sup> For a station with a winning bid to move to the low or high portions of the very-high frequency (VHF) band (a band changing station) the “go off-air date” is the station’s transition phase completion date as of the release date of this Public Notice.<sup>7</sup>

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<sup>3</sup> See *Closing and Channel Reassignment Public Notice* at 7, para. 12. The system used by the U.S. Treasury to disburse the incentive payments has a limit of \$99,999,999.99 per payment. Consequently, with respect to each incentive payment exceeding this limit, Commission staff has directed disbursing the number of payments needed to pay that incentive payment in full.

<sup>4</sup> *Id.* Some of the post auction transition-related deadlines set forth in the Commission’s rules, such as the deadline for filing an application for a construction permit for post-auction channel facilities, are referred to in months. See, e.g., 47 CFR § 73.3700(b)(1). For the sake of clarity and to provide greater ease of calculation, such deadlines are referred to in days. For example, a “3-month” deadline will be referred to as a “90-day” deadline. See *Closing and Channel Reassignment Public Notice*, DA 17-341, para. 70 & n. 92; *Incentive Auction Task Force and Media Bureau Announce Procedures for the Post-Incentive Auction Broadcast Transition*, Public Notice, 32 FCC Rcd 858, 862, para. 12 & n. 18 (MB 2017) (*Broadcast Transition Procedures Public Notice*).

<sup>5</sup> 47 CFR § 73.3700(b)(4)(i). A go off-air station needing additional time to go off-air may submit a waiver request demonstrating “good cause” pursuant to section 1.3 of the Commission’s rules and must include a proposed go off-air date. For additional information on such waiver requests, see *Broadcast Transition Procedures Public Notice*, 32 FCC Rcd at 876, para. 56.

<sup>6</sup> 47 CFR § 73.3700(b)(3), (b)(4)(ii). Absent any contrary information from the station, any station that indicated it had a pre-auction channel sharing agreement and/or an intent to channel share on its reverse auction FCC Form 177 will be considered a channel sharee station until the station fails to meet or obtain a waiver of a deadline applicable to it as a channel sharee. See *Broadcast Transition Procedures Public Notice*, 32 FCC Rcd at 878, para. 63 & n.141. A channel sharee station may request an additional 90 days to go off-air on its pre-auction channel and commence shared operations by requesting a waiver pursuant to section 1.3 of the Commission’s rules. Further, channel sharee stations may request an additional 90 days (for a total of 180 additional days) using the same procedure. For additional information on such waiver requests, see *Broadcast Transition Procedures Public Notice*, 32 FCC Rcd at 879-880, paras. 69-70.

<sup>7</sup> 47 CFR § 73.3700(b)(4)(iii). Band changing stations that require additional time to go off-air on their pre-auction channel and begin operating on their reassigned channel may request special temporary authority (STA) to remain on their pre-auction channel beyond their go off-air date and/or an extension of the construction permit for their reassigned channel. For additional information on such requests and applications, see *Broadcast Transition Procedures Public Notice*, 32 FCC Rcd at 871-2, paras. 39-45.

5. As a reminder, the following additional information regarding each station subject to a reverse auction winning bid can be found in Appendix A to the *Closing and Channel Reassignment Public Notice*:

- Call Sign (Call signs as of December 8, 2015. Subsequent changes may not be reflected.)
- DMA (Designated Market Area based on Nielsen 2013-14. Subsequent changes may not be reflected.)
- Pre-Auction Band (The station's television spectrum band prior to the auction, Low-VHF, High-VHF, or UHF.)
- Winning Bid Option (Go off-air, Move to Low-VHF, or Move to High-VHF)
- Compensation (Winning Bid Amount)
- Pre-Auction CSA (Yes or No, whether an existing channel sharing agreement (CSA) was disclosed in the station's application to participate in the reverse auction)
- Post-Auction CSA (Yes or No, whether an intent to enter into a post-auction channel sharing agreement was disclosed in the station's application to participate in the reverse auction)

Questions regarding this Public Notice may be directed to Jim Lyons, (202) 418-7749 or [James.lyons@fcc.gov](mailto:James.lyons@fcc.gov). Press contact: Charles Meisch, (202) 418-2943 or [Charles.Meisch@fcc.gov](mailto:Charles.Meisch@fcc.gov).

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