



# PUBLIC NOTICE

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## **BIDDING IN AUCTION OF 28 GHz UPPER MICROWAVE FLEXIBLE USE SERVICE LICENSES CONCLUDES**

### **INFORMATION ON UPCOMING RELEASES OF AUCTION 101 CLOSING PUBLIC NOTICE AND AUCTION 102 UPFRONT PAYMENT PUBLIC NOTICE**

#### **AU Docket No. 18-85**

1. By this Public Notice, the Wireless Telecommunications Bureau (WTB) and the Office of Economics and Analytics (OEA) report that there were no bids, withdrawals, or proactive activity rule waivers placed in round 176 of Auction 101, the Commission's auction of licenses in the 27.5–28.35 GHz (28 GHz) band. Therefore, bidding in the Commission's first auction of Upper Microwave Flexible Use Service (UMFUS) licenses has concluded under the simultaneous stopping rule. Auction 101 raised (in gross bids) a total of \$702,572,410 with a total of 2,965 28 GHz UMFUS licenses won.

2. WTB and OEA will release a public notice next week that specifies the deadlines for payments and long-form application (FCC Form 601) filing and gives details for other post-auction procedures (the *Auction 101 Closing Public Notice*). Each Auction 101 qualified bidder will be sent a copy of the *Auction 101 Closing Public Notice* along with an individualized confidential letter providing detailed information regarding its payment obligations. WTB and OEA also will release a public notice next week that announces the upfront payment deadline and bidding start date for Auction 102. Each Auction 102 applicant with an application deemed complete will be sent separately a copy of the public notice announcing future dates and deadlines for Auction 102.

3. Consistent with the Commission's limited information disclosure procedures for Auctions 101 and 102, the identities of winning bidders will remain non-public until after the close of bidding in Auction 102, the upcoming auction of 24 GHz UMFUS licenses.<sup>1</sup> Accordingly, the *Auction 101 Closing Public Notice* will not identify winning bidders.<sup>2</sup> The *Auction 101 Closing Public Notice* and the confidential letter will be mailed overnight to the contact person on the bidder's FCC Form 175.<sup>3</sup>

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<sup>1</sup> Specifically, the Commission has determined that it will not make public until after bidding in both auctions has closed: (1) the licenses or PEAs that an applicant selects for bidding in its FCC Form 175, (2) the amount of any upfront payment made by or on behalf of an applicant for Auction 101 or Auction 102, (3) any applicant's bidding eligibility, and (4) any other bidding-related information that might reveal the identity of the bidder placing a bid. *Auctions of Upper Microwave Flexible Use Licenses for Next-Generation Wireless Services; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auctions 101 (28 GHz) and 102 (24 GHz); Bidding in Auction 101 Scheduled to Begin November 14, 2018*, Public Notice, 33 FCC Rcd 7575, 7596, para. 50 (2018) (*Auctions 101 and 102 Procedures Public Notice*).

<sup>2</sup> The Commission will disclose bidding information that is currently non-public, including the names of the Auction 101 winning bidders and the net winning bid amounts for Auction 101, after the close of bidding in Auction 102. *See id.* at 7597-98, para. 55.

4. Because the Commission's limited information disclosure procedures for Auctions 101 and 102 remain in effect, bidders must not disclose their status as a winning or non-winning bidder or any information contained in their confidential letter until after the close of Auction 102. We remind all Auction 101 applicants that they remain subject to the Commission's rules prohibiting certain communications relating to the auction until after the deadline for winning bidders in Auction 102 to submit down payments. All Auction 101 applicants remain subject to the prohibition regardless of developments during the auction process and regardless of whether they qualified to bid or became winning bidders.

5. In the meantime, we suggest bidders review the "Post-Auction Procedures" section in the *Auctions 101 and 102 Procedures Public Notice*.<sup>4</sup>

6. The gross winning bid amounts for licenses won in Auction 101 are available and accessible to the public through the FCC's Public Reporting System, under the "Provisionally Winning Bids" section of the navigation bar ([auctiondata.fcc.gov](http://auctiondata.fcc.gov)).

7. For further information about the FCC's Public Reporting System, email [auction101@fcc.gov](mailto:auction101@fcc.gov) or contact the FCC Auctions Hotline at (717) 338-2868.

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<sup>3</sup> Public notices concerning Auction 101 are posted and available on the Auction 101 website: [www.fcc.gov/auction/101](http://www.fcc.gov/auction/101).

<sup>4</sup> See *Auctions 101 and 102 Procedures Public Notice*, 33 FCC Rcd at 7658-61, paras. 283-99.