**DA 19-613**

**July 3, 2019**

**AUCTION OF CROSS-SERVICE FM TRANSLATOR CONSTRUCTION PERMITS CLOSES**

**WINNING BIDDERS ANNOUNCED FOR AUCTION 100**

**Down Payments Due July 18, 2019**

**Final Payments Due August 1, 2019**

**FCC Form 349 Due August 2, 2019**

AU Docket No. 17-329

# INTRODUCTION

1. On July 1, 2019, bidding concluded in the Commission’s second auction of cross-service FM translator construction permits. This auction, which was designated Auction 100, raised in net bids a total of $436,500, with 11 bidders winning a total of 11 construction permits.

# AUCTION RESULTS

1. In this Public Notice, the Office of Economics and Analytics (OEA), in conjunction with the Media Bureau (MB), provides detailed information concerning winning bidders, down payments, final payments, refunds, long-form application (FCC Form 349) filing requirements, and other post-auction procedures.
2. Attachment A to this Public Notice lists each winning bidder and the amount of its winning bid for each permit.[[1]](#footnote-3) The columns are headed with labels briefly describing the information provided. The table is sorted by permit in the first column. For each permit, Attachment A provides the following information under each respective header:
* Permit
* Permit Description
* Bid Round Number
* Bidder Name
* FRN (bidder’s FCC Registration Number)
* Winning Bid Amount
* Net Winning Bid Amount
1. Attachment B to this Public Notice lists, for each qualified bidder, information about bidder’s upfront payment and post-auction payments or refund, as applicable. Each column in the table is headed with a label briefly identifying the information provided. Specifically, for each bidder, the columns in Attachment B provide the following information under each respective header, sorted by bidder name:
* Bidder Name
* FRN (bidder’s FCC Registration Number)
* Upfront Payment Amount
* Total Withdrawal Payment Amount (not applicable in Auction 100)[[2]](#footnote-4)
* Upfront Payment Balance Remaining
* Total Winning Bid Net Amount
* Down Payment Amount (20% of Net Winning Bids)
* Additional Amount Due After Upfront Payment Balance Applied Due by July 18, 2019
* Final Payment Amount (80% of Net Winning Bids)
* Final Balance Due by August 1, 2019 or (Refund) (the Net Winning Bid, minus the Upfront Payment Amount and any Additional Amount Due After Upfront Payment Balance Applied)[[3]](#footnote-5)

A copy of this Public Notice will be sent via overnight delivery to each qualified bidder.

# POST-AUCTION Deadlines and PROCEDURES

## Down Payments – Due By 6:00 p.m. Eastern Time (ET) on July 18, 2019

1. The Commission’s rules require that within 10 business days after the release of this Public Notice, in this case by **6:00 p.m. Eastern Time (ET) on July 18, 2019**, each winning bidder in Auction 100 must have on deposit with the Commission enough funds to cover the down payment on its winning bid(s).[[4]](#footnote-6) Specifically, each winning bidder’s total amount on deposit must be 20% of the aggregate net amount of its winning bid. Each winning bidder whose upfront payment is not sufficient to meet this requirement must deposit additional funds to meet its required down payment.[[5]](#footnote-7)
2. All down payments must be made by wire transfer as instructed in this Public Notice.[[6]](#footnote-8) Wire transfers for down payments must be received in the Commission’s account at the U.S. Treasury by **6:00 p.m. ET on July 18, 2019**. The down payment amount due from each winning bidder, if any, is set out in the “Additional Amount Due after Upfront Payment Balance Applied Due by July 18, 2019” column of Attachment B. Note that an additional payment toward the down payment due is necessary only if a winning bidder’s upfront payment does not cover the required total down payment (as reflected in Attachment B).
3. If a winning bidder fails timely to tender its down payment as described in Section III.C. below, so that it is received by 6:00 p.m. ET on July 18, 2019, it will be in default.[[7]](#footnote-9)

## Final Payments – Due By 6:00 p.m. Eastern Time (ET) on August 1, 2019

1. Each winning bidder in Auction 100 will be required to submit the balance of the net amount of its winning bid, as set out in the “Final Balance Due By August 1, 2019 or (Refund)” column of Attachment B.[[8]](#footnote-10) **This payment must be made by wire transfer as instructed in this Public Notice and must be received in the Commission’s account at the U.S. Treasury before 6:00 p.m. ET on August 1, 2019, to avoid a late fee or default. A late payment after this deadline must be made by wire transfer as instructed in this Public Notice and must be received in the Commission’s account at the U.S. Treasury before 6:00 p.m. ET on August 15, 2019, along with the 5% late fee required by section 1.2109(a) of the Commission’s rules to avoid default.**[[9]](#footnote-11) Note that an additional payment toward the final balance due is necessary only if a winning bidder’s upfront payment does not cover the required total down and final payment (as reflected in Attachment B).
2. If a winning bidder fails timely to tender its final payment as described in Section III.C., below, so that it is received by 6:00 p.m. ET on August 1, 2019 (or by6:00 p.m. ET on August 15, 2019, along with the 5% late fee), it will be in default.[[10]](#footnote-12)

## Payment Instructions for Down Payments and Final Payments

1. All down payments and final payments must be made by wire transfer to the Commission’s account at the U.S. Treasury, in accordance with the instructions in this Public Notice, by the applicable deadline.[[11]](#footnote-13) **Winning bidders should pay close attention to the payment instructions set forth in this Public Notice, as they differ from the payment instructions provided in past auctions.** A winning bidder with any questions about making a down or final payment should contact a member of the FCC Revenue & Receivables Operations Group/Auctions listed at the end of this Public Notice.
2. All payments must be in U.S. dollars and made in the form of a wire transfer. No checks, credit card payments, automated clearing house (ACH), or other forms of payment will be accepted.
3. Each winning bidder is responsible for ensuring timely submission of all required payments. To avoid untimely payments, each winning bidder should discuss arrangements (including bank closing schedules, bank wire transfer schedules, and other bank wire transfer requirements, such as an in-person written request before a specified time of day) with its financial institution several days before it plans to make the wire transfer, and should allow sufficient time for each wire transfer to be initiated and completed prior to the deadline. The Commission repeatedly has cautioned auction participants about the importance of planning ahead to prepare for unforeseen last-minute difficulties in making payments by wire transfer.[[12]](#footnote-14)
4. Each winning bidder is responsible for obtaining confirmation from its financial institution that its wire transfer to the U.S. Treasury was successful. Each winning bidder also must confirm with Commission staff that its payment has been received by the Commission in the proper account by the specified deadline. Winning bidders may request such confirmation by contacting a member of the FCC Revenue & Receivables Operations Group/Auctions listed at the end of this Public Notice.
5. Each payer must include certain information in the wire transfer instructions provided to its bank, as described below. **The Commission no longer requires payers to submit a completed FCC Remittance Advice Form (Form 159) with down payments or final payments.**[[13]](#footnote-15) The Commission will credit any such payments based on the information accompanying the wire transfer. To submit funds by wire transfer, the winning bidder must include the following information in its wire transfer instructions:

ABA Routing Number: **021030004**

Receiving Bank: **TREAS NYC**

33 Liberty Street

New York, NY 10045

ACCOUNT NAME: **FCC**

**445 12th Street, SW**

**Washington, DC 20554**

ACCOUNT NUMBER: **27000001**

Originating Bank Information (OBI Field): (Skip one space between each information item) “AUCTIONPAY”

APPLICANT FCC REGISTRATION NUMBER (FRN): (use the same FRN as used on the FCC Form 175)

PAYMENT TYPE CODE: (“D100”)

PAYER NAME

**CONTACT NAME AND PHONE NUMBER OR E-MAIL ADDRESS**

1. In a change from past practice, the Commission will not provide a partially completed Form 159, FCC Remittance Advice Form, to each winning bidder that must make a payment to meet its down and/or final payment obligations. Please direct questions concerning the calculation and submission of down payments, final payments, and refunds to the FCC Revenue & Receivables Operations Group/Auctions listed at the end of this Public Notice.

## Default and Disqualification Payments

1. The Commission imposes payment obligations on bidders that default on payments due after an auction closes and on bidders that are disqualified.[[14]](#footnote-16)
2. If a winning bidder defaults or is disqualified after the close of the auction (i.e., fails to remit the required down payment by the specified deadline, fails to submit a timely long-form application, fails to make full payment of the balance of its winning bid(s) by the specified deadline, or is otherwise disqualified for any reason), the defaulting bidder will be subject to the payment obligations described in section 1.2104(g)(2) of the Commission’s rules.[[15]](#footnote-17) These payment obligations include both a deficiency payment and an additional payment amount. The deficiency payment component applies only in the event that the subsequent winning bid the next time the permit is won in an auction is less than the defaulted bid. The deficiency payment is equal to the difference between the amount of the defaulter’s bid and the amount of the subsequent winning bid.[[16]](#footnote-18) The additional payment is owed by each defaulting bidder and is equal to a percentage of the defaulter’s bid or the subsequent winning bid, whichever is less.[[17]](#footnote-19) The additional default payment for Auction 100 permits was set at 20% of the applicable bid.[[18]](#footnote-20)
3. If a winning bidder fails to remit the required down payment by the July 18, 2019 deadline specified in this Public Notice, the bidder will be deemed to have defaulted, its long-form application will be dismissed, and it will be liable for a default payment as described above.[[19]](#footnote-21)
4. If a winning bidder fails to pay the balance of its winning bid in a lump sum by the August 1, 2019 deadline specified in this Public Notice, then it will be allowed to make a late payment within 10 business days after the payment deadline, provided that it also pays a late fee equal to 5% of the amount due.[[20]](#footnote-22) If a winning bidder fails to pay (a) the balance of its winning bid by the payment deadline on August 1, 2019, or (b) the balance of its winning bid plus the late fee by the late payment deadline on August 15, 2019, then it will be in default, and it will be subject to applicable default payments.[[21]](#footnote-23)
5. The Commission will review an applicant’s long-form application only after receipt of full and timely payment for the winning bid amount and any applicable late fees. The relevant construction permit will be granted after determination that the long-form application meets the Commission’s requirements for grant.[[22]](#footnote-24)
6. A bidder that is found to have violated the antitrust laws or the Commission’s rules in connection with its participation in the competitive bidding process may be subject, in addition to any other applicable sanctions, to forfeiture of its upfront payment, down payment, or full bid amount, and may be prohibited from participating in future auctions.[[23]](#footnote-25)

## Refund of Excess Payments

1. Upfront monies on deposit that are in excess of an applicant’s Auction 100 obligations may be refunded to the payer of record as identified on the upfront payment wire transfer.
2. To receive a refund, an applicant must submit a refund request and provide wire transfer instructions. Each applicant can provide this information by using the FCC auction application system to file its refund information electronically, using the **Refund Form** icon found on the *Auction Application Manager* page, by **July 18, 2019**. After the required information is completed on the blank form, the form should be printed, signed, and submitted to the Commission by mail or fax as instructed below.
3. After July 18, 2019, or if you have elected not to access the Refund Form through the Auction Application Manager page, the Commission requests that all information listed below be supplied in writing:

Name, address, contact and phone number of Bank

Automated Clearing House (ACH) ABA Number (Please verify this number with your Bank)

Account Number to Credit

Name of Account Holder

FCC Registration Number (FRN)

1. The refund request must be submitted by fax to the Revenue & Receivables Operations Group/Auctions at (202) 418-2843, by email to RROGWIREFAXES@fcc.gov, or by mail to:

Federal Communications Commission

Financial Operations

Revenue & Receivables Operations Group/Auctions

Scott Radcliffe

445 12th Street, SW, Room 1-C848

Washington, DC 20554

1. An applicant seeking a refund should verify that the taxpayer identification number (TIN) associated with its FCC Registration Number (FRN) is correct by visiting the FRN website at <https://apps.fcc.gov/cores> to update its records before submitting a refund request. An FRN with no TIN on file cannot be processed until a TIN is provided.
2. Any questions concerning refunds should be directed to the FCC Revenue & Receivables Operations Group/Auctions listed at the end of this Public Notice.

## Long-Form Application (FCC Form 349) – Due Before midnight ET on August 2, 2019

1. Each winning bidder must submit electronically a properly completed long-form application (FCC Form 349, Application for Authority to Construct or Make Changes in an FM Translator or FM Booster Station), including all required exhibits, for the construction permit for which it was the winning bidder in Auction 100, prior to **midnight ET on August 2, 2019**.[[24]](#footnote-26)
2. Each Auction 100 winning bidder must file an accurate and complete long-form application (FCC Form 349) for each construction permit for which it was the winning bidder in Auction 100. The long-form applications must be filed electronically through the Media Bureau’s Consolidated Database System (CDBS) online electronic filing system.[[25]](#footnote-27) In accordance with the Commission’s rules, electronic filing of FCC Form 349 must be accompanied by the appropriate application filing fee.[[26]](#footnote-28) If information submitted on the new FCC Form 349 application by the winning bidder indicates that the applicant has effected a major change relative to information reported on the applicant’s short-form application (FCC Form 175), then the long-form application will be dismissed and the applicant will be in default.[[27]](#footnote-29)
3. For instructions and technical requirements for using the Media Bureau’s electronic filing system, go to the electronic filing web site at <https://licensing.fcc.gov/prod/cdbs/forms/prod/cdbs_ef.htm>. In the CDBS Electronic Filing System section of the page, click on the [CDBS Electronic Filing User’s Guide](http://licensing.fcc.gov/prod/cdbs/forms/prod/cdbs_ug.htm) link. When filing FCC Form 349, an applicant must select “Long Form Application for Auction 100” on the Pre-form and enter the relevant short-form application file number from CDBS (Question 2).[[28]](#footnote-30) For assistance with electronic filing, call the CDBS Help Desk at (202) 418-2662.
4. Commission staff will return applications not submitted in accordance with the procedures described in this Public Notice. In order to avoid processing delays, applicants are encouraged to pay the FCC Form 349 application filing fee electronically using the CDBS filing system.
5. A winning bidder that fails to submit the required long-form application before the specified deadline, and fails to establish good cause for any late-filed submission, shall be deemed to have defaulted and shall be subject to the payments set forth in section 1.2104(g) of the Commission’s rules.[[29]](#footnote-31)

## Additional Post-Auction Filing Requirements

1. To file a complete FCC Form 349 application, each Auction 100 winning bidder must submit the post-auction exhibits required by section 73.5005(a) of the Commission’s rules.[[30]](#footnote-32) Section 73.5005(a) requires that post-auction long-form applications include the exhibits mandated by section 1.2107(d) (providing a detailed explanation of the terms, conditions, and parties involved in any bidding consortium, joint venture, partnership, or other agreement or arrangement the applicant had entered into relating to the competitive bidding process),[[31]](#footnote-33) and section 1.2112(a) (requiring that each long-form application fully disclose ownership information and the real party or parties in interest in the applicant or application).[[32]](#footnote-34)
2. The Commission’s “red light rule” that implements the Debt Collection Improvement Act will be enforced.[[33]](#footnote-35) Under the red light rule, the Media Bureau will not process applications or other requests for benefits filed by parties that have outstanding debts owed to the Commission.[[34]](#footnote-36)

## Maintaining Accuracy of Information

1. Now that Auction 100 has closed, all required changes to an applicant’s information must be made by filing or amending the applicant’s long-form application(s) (FCC Form 349). With the release of this Public Notice, an Auction 100 applicant is no longer required to maintain the accuracy and completeness of information furnished on its Auction 100 short-form application (FCC Form 175) and exhibits.[[35]](#footnote-37)

## Application Processing, Petitions to Deny, and Construction Permit Grant

1. After its initial review of the long-form applications, the Media Bureau will issue public notices listing the applications as they are accepted for filing. Pursuant to section 73.5006 of the Commission’s rules,[[36]](#footnote-38) interested parties will have 15 days from release of that public notice to file any petitions to deny the applications.[[37]](#footnote-39) The Media Bureau will use public notices generated by CDBS to start the 15-day period for filing petitions to deny. A public notice entitled “Broadcast Applications” will list such applications as “Accepted for Filing.” An applicant may file an opposition to any petition to deny within 15 days after the filing deadline for petitions to deny its long-form application.[[38]](#footnote-40) Replies must be filed within 10 days after the filing deadline for oppositions to a petition to deny a long-form application.[[39]](#footnote-41) The Commission reminds all parties and their counsel that the Commission intends to use its authority fully to deter the filing of frivolous pleadings.[[40]](#footnote-42)
2. After the long-form application review process, if the Commission determines that additional payment from an applicant is due, the Media Bureau will provide further instructions in a future public notice or by demand letter.[[41]](#footnote-43) If the Commission determines that an applicant is otherwise qualified, that there are no substantial and material issues of fact regarding the applicant’s qualifications to be a Commission licensee, and that no additional payments are due, the Commission will grant the construction permit.[[42]](#footnote-44)

# OTHER IMPORTANT INFORMATION

## Maintaining Prohibition on Certain Communications

1. For Auction 100, section 1.2105(c)(1) of the Commission’s rules provides that, subject to specified exceptions, after the deadline for filing a short-form application, all applicants are prohibited from cooperating or collaborating with respect to, communicating with or disclosing, to each other in any manner the substance of their own, or each other’s, or any other applicant’s bids or bidding strategies (including post-auction market structure), or discussing or negotiating settlement agreements, until after the down payment deadline.[[43]](#footnote-45) As explained more fully in the *Auction 100 Procedures Public Notice,* this prohibition began at the short-form application filing deadline at 6:00 p.m. ET on January 31, 2018, and continues until the down payment deadline, which is **6:00 p.m. ET on July 18, 2019**.[[44]](#footnote-46)
2. The prohibition on certain communications applies to all applicants in Auction 100, regardless of whether an applicant became a qualified bidder or actually participated in the bidding.[[45]](#footnote-47) Each applicant in this auction certified its compliance with section 1.2105(c) when it filed its short-form application.[[46]](#footnote-48)

## Return of SecurID® Tokens

1. The SecurID® tokens distributed to qualified bidders are tailored to this auction and will not work for future auctions. The Commission will send each bidder, along with a copy of this Public Notice, a pre-addressed, stamped envelope to return its SecurID® tokens. Each bidder should return its SecurID® tokens to the Commission for recycling by **July 18, 2019**.

## Contact Information

1. For further information, contact:

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| --- | --- |
| **News Media** | Janice Wise at (202) 418-8165 |
| **Licensing Information** Service Rules, Policies, Regulations Licensing Issues, Engineering Issues Due Diligence, Incumbency Issues, FCC Form 349 questions | **Audio Division, MB**Lisa Scanlan (Attorney) or Tom Nessinger (Attorney), at (202) 418-2700 |
| **Auction Payment Information**Wire TransfersRefunds | **FCC Revenue & Receivables Operations Group/Auctions**Scott Radcliffe at (202) 418-7518Theresa Meeks at (202) 418-2945, or Gail Glasser at (202) 418-0578, or (202) 418‑2843 (fax) or email to RROGWireFaxes@fcc.gov**FCC Auctions Hotline at (888) 225-5322, option two; or (717) 338-2868**  |
| **Auction 100 Information**General Auction Information, Process and ProceduresAuction Rules, Policies, and Regulations | **Auctions Division, OEA** Auctions Hotline, at (717) 338-2868Lynne Milne, Attorney, at (202) 418-0660 |
| **Accessible Formats**Braille, large print, electronic files, or audio format for people with disabilities | **Consumer and Governmental Affairs Bureau**(202) 418-0530, or (202) 418-0432 (TTY)fcc504@fcc.gov |
| **FCC Internet Sites** | [www.fcc.gov/auction/100](https://www.fcc.gov/auction/100) [www.fcc.gov/mb](http://www.fcc.gov/mb) <http://licensing.fcc.gov/prod/cdbs/pubacc/prod/cdbs_pa.htm>[auctiondata.fcc.gov](https://auctiondata.fcc.gov/) [www.fcc.gov](https://www.fcc.gov)  |

- **FCC -**

1. Attachment A lists both a gross winning bid amount and a net bid amount. These amounts are identical in Auction 100 because none of the winning bidders is seeking a bidding credit. *See Auction of Cross-Service FM Translator Construction Permits Scheduled for June 25, 2019; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 100*,Public Notice, DA 19-273,para. 113 n.119 (OEA/MB Apr. 17, 2019) (*Auction 100* *Procedures Public Notice*). [↑](#footnote-ref-3)
2. Bid withdrawals were not permitted in Auction 100, so the Total Withdrawal Payment Amount is zero in all cases. *Auction 100 Procedures Public Notice*, DA 19-273, at 30, para. 125. [↑](#footnote-ref-4)
3. For a non-winning bidder, this Final Balance Due amount, which is equal to its Upfront Payment Amount, is shown in parentheses and is available for refund. For a winning bidder, this amount may equal the Final Payment Amount. However, if the Upfront Payment Amount exceeds the Down Payment Amount, any excess will reduce the Final Balance Due. [↑](#footnote-ref-5)
4. 47 CFR § 1.2107(b); *see* *Auction 100 Procedures Public Notice*, DA 19-273, at 27, para. 113. [↑](#footnote-ref-6)
5. 47 CFR § 1.2107(b). [↑](#footnote-ref-7)
6. *See* Section III.C., “Payment Instructions for Down Payments and Final Payments,” below. [↑](#footnote-ref-8)
7. *See* Section III.D., “Default and Disqualification Payments,” below. [↑](#footnote-ref-9)
8. 47 CFR § 1.2109(a). [↑](#footnote-ref-10)
9. *Id.* [↑](#footnote-ref-11)
10. *See* Section III.D., “Default and Disqualification Payments,” below. [↑](#footnote-ref-12)
11. A winning bidder must initiate the wire transfer through its bank, authorizing the bank to wire funds from the winning bidder’s account to the Commission’s account at the U.S. Treasury. [↑](#footnote-ref-13)
12. *See, e.g*.*, Four Corners Broadcasting, LLC*, Letter Decision, 25 FCC Rcd 9046 (WTB 2010); *Spectrum Acquisitions, Inc*., Letter Decision, 23 FCC Rcd 4765 (WTB 2008); *Lynch 3G Communications Corp*., Letter Decision, 18 FCC Rcd 11552 (WTB 2003). [↑](#footnote-ref-14)
13. The Form 159 will continue to be used for upfront payments in future auctions. [↑](#footnote-ref-15)
14. 47 CFR §§ 1.2104(g), 1.2109. [↑](#footnote-ref-16)
15. *Id*. [↑](#footnote-ref-17)
16. 47 CFR § 1.2104(g)(2)(i). [↑](#footnote-ref-18)
17. *Id*. [↑](#footnote-ref-19)
18. *Auction 100 Procedures Public Notice*, DA 19-273, at 27-28, paras. 116-17. *See also* 47 CFR § 1.2104(g)(2)(ii). [↑](#footnote-ref-20)
19. 47 CFR § 1.2109(c); *see also* 47 CFR § 1.2104(g)(2). [↑](#footnote-ref-21)
20. *Id.* §§ 1.2109(a), 73.5003. [↑](#footnote-ref-22)
21. *Id.* §§ 1.2104(g)(2), 1.2109(a), 1.2109(c). [↑](#footnote-ref-23)
22. *Id.* §§ 1.2109(a), 73.5003, 73.5006(d). [↑](#footnote-ref-24)
23. *Id.* § 1.2109(d). [↑](#footnote-ref-25)
24. Section 73.5005(a) of the Commission’s rules, 47 CFR § 73.5005(a), provides that the filing deadline for the submission of post-auction long-form applications may be specified by public notice at a date later than 30 days. *See Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures*, First Report and Order and Further Notice of Proposed Rule Making, 25 FCC Rcd 1583, 1607-08, paras. 47-48 (2010). [↑](#footnote-ref-26)
25. For information regarding electronic application filing, refer to *Media Bureau Implements Mandatory Electronic Filing of FCC Forms 301-CA, 346, 349 and 350*, Public Notice, 17 FCC Rcd 8575 (MB 2002). [↑](#footnote-ref-27)
26. *Implementation of Section 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses,* First Report and Order, 13 FCC Rcd 15920, 15984-85, para. 164 (1998) (*Broadcast First Report and Order*). *See* 47 CFR §§ 1.1104, 1.2107(c). *See also* Application Fee Filing Guide for Media Bureau (Sept. 4, 2018). [↑](#footnote-ref-28)
27. *See* 47 CFR §§ 1.2109(c), 73.3522(a)(3), 74.1233(d)(5)(iii). [↑](#footnote-ref-29)
28. To obtain the short form application file number, go to CDBS Public Access (<http://licensing.fcc.gov/prod/cdbs/pubacc/prod/cdbs_pa.htm>) and select “Search for Application Information.” In the Application Search page, in “File Number,” enter “BNPFT” in the first box and “20180%” in the second box. Enter the appropriate “Community of License City” and “State.” Then, click on “Submit Application Search” at the bottom of the page. This will provide all of the Auction 100 FM translator applications filed in 2018 for that community of license. In the few instances with multiple allotments in the same community, an applicant can click on the “Info” hyperlinks in the results page to determine which short-form application is applicable to which applicant. [↑](#footnote-ref-30)
29. *See* 47 CFR §§ 1.2104(g), 1.2107(c), 73.5005(c). [↑](#footnote-ref-31)
30. 47 CFR § 73.5005(a). *See also* Instructions for Form 349, Application for Authority to Construct or Make Changes in an FM Translator or FM Booster Station, Instructions for Section II – Legal Information, paragraph J. Item 11: Auction Authorization, for auction-related exhibit filing requirements. [↑](#footnote-ref-32)
31. 47 CFR § 1.2107(d). [↑](#footnote-ref-33)
32. *Id.* § 1.2112(a). [↑](#footnote-ref-34)
33. *Id*. § 1.1910. [↑](#footnote-ref-35)
34. *Id.*; *see also* *id.* § 1.2109(c) (post-auction defaults). [↑](#footnote-ref-36)
35. *See* *id.* § 1.65. [↑](#footnote-ref-37)
36. *Id.* § 73.5006(b). [↑](#footnote-ref-38)
37. *Id.* § 73.5006. [↑](#footnote-ref-39)
38. *Id.* § 73.5006(c). [↑](#footnote-ref-40)
39. *Id.* [↑](#footnote-ref-41)
40. *See* *Commission Taking Tough Measures Against Frivolous Pleadings*, Public Notice, 11 FCC Rcd 3030 (1996). [↑](#footnote-ref-42)
41. For example, in an auction where winning bidders have claimed eligibility for the new entrant bidding credit, Commission staff may determine that a winning bidder is not entitled to the level of bidding credit that it has claimed and may require an additional payment to cover the amount of any percentage discount for which it was not eligible. *See* 47 CFR § 73.5007(a). [↑](#footnote-ref-43)
42. *See* 47 CFR §§ 1.2108(d), 1.2109(a). *See also* 47 CFR § 73.5006(d). Although we expect applicants to provide complete and accurate information in all filings with the Commission, under our liberal amendment policy we will permit winning bidders to file amendments to their long-form applications including, as necessary, amendments to resolve site availability issues. *See* *Broadcast First Report and Order*, 13 FCC Rcd at 15986-89, paras. 167-76; *Entravision Holdings, LLC*., Letter Decision, 27 FCC Rcd 15190, 15193 (MB 2012); *Robert D. Yates, Jr.*, Letter Decision, 28 FCC Rcd 6269, 6271 (MB 2013). [↑](#footnote-ref-44)
43. 47 CFR § 1.2105(c)(1). *See also Updating Part 1 Competitive Bidding Rules*, Report and Order, Order on Reconsideration of the First Report and Order, Third Order on Reconsideration of the Second Report and Order, Third Report and Order,30 FCC Rcd 7493 (2015)(modified by Erratum, 30 FCC Rcd 8518 (WTB 2015)). [↑](#footnote-ref-45)
44. *See* *Auction 100 Procedures Public Notice*, DA 19-273, paras. 9-19. [↑](#footnote-ref-46)
45. *See id.*, paras. 9-13. [↑](#footnote-ref-47)
46. *See* 47 CFR § 1.2105(a)(2)(ix). [↑](#footnote-ref-48)