



# PUBLIC NOTICE

**Federal Communications Commission**  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

News Media Information: 202-418-0500  
Internet: [www.fcc.gov](http://www.fcc.gov)  
TTY: 888-835-5322

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## ESTIMATE OF SYSTEMS OF COMPETITIVE BIDDING FOR FISCAL YEAR 2021

The Office of Economics and Analytics (OEA) provides this estimate regarding upcoming systems of competitive bidding, pursuant to Section 309(j)(18) of the Communications Act of 1934, as amended.<sup>1</sup> OEA estimates that the systems of competitive bidding listed below may be initiated during the 12-month period following September 30, 2020. More detailed information concerning each of these matters has been and/or will be provided through orders and public notices.<sup>2</sup>

*Auction 107.* Auction 107 will offer 5,684 new flexible-use overlay licenses for spectrum in the 3.7–3.98 GHz band throughout the contiguous United States (CONUS), subject to clearing requirements.<sup>3</sup> The 3.7–4.2 GHz band, also known as the “C-Band,” previously was allocated in the United States exclusively for non-Federal use on a primary basis for Fixed Satellite Service and Fixed Service. This auction will offer over 280 megahertz of spectrum licensed on an unpaired basis in three blocks, each divided into 20-megahertz sub-blocks by partial economic area in CONUS and the District of Columbia.<sup>4</sup> The deadline for filing applications to participate in the auction was September 22, 2020. Bidding in Auction 107 is scheduled to begin on December 8, 2020.

*System of Competitive Bidding for the 2.5 GHz Band.* In 2019, the Commission transformed the rules governing spectrum from 2496 to 2690 MHz, which is comprised of the Educational Broadband Service, the Broadband Radio Service,<sup>5</sup> and a number of small guard band channels.<sup>6</sup> The Commission

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<sup>1</sup> Section 309(j)(18) provides as follows:

(A) Not later than September 30, 2018, and annually thereafter, the Commission shall make publicly available an estimate of what systems of competitive bidding authorized under this subsection may be initiated during the upcoming 12-month period.

(B) The estimate under subparagraph (A) shall, to the extent possible, identify the bands of frequencies the Commission expects to be included in each such system of competitive bidding.

47 U.S.C. § 309(j)(18). This provision was added by the RAY BAUM’S Act, Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, Division P, the Repack Airwaves Yielding Better Access for Users of Modern Services Act (RAY BAUM’S Act).

<sup>2</sup> This estimate should not be viewed as a substitute for information provided about these matters in Commission releases establishing rules, procedures, dates, and deadlines, along with other pertinent information, which can be found on the Commission’s website and through the Electronic Document Management System database.

<sup>3</sup> *Auction of Flexible-Use Service Licenses in the 3.7–3.98 GHz Band for Next-Generation Wireless Services; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 107; Bidding in Auction 107 Scheduled to Begin December 8, 2020*, AU Docket No. 20-25, Public Notice, 35 FCC Rcd 8404, 8407-08 para 7 (2020).

<sup>4</sup> *Id.*

held a Tribal priority window to enable Tribal nations an opportunity to obtain new 2.5 GHz licenses to provide service on rural Tribal lands.<sup>7</sup> This window closed on September 2, 2020 and will be followed by a system of competitive bidding to assign geographic overlay licenses for the remaining unused portions of the band for commercial use.<sup>8</sup>

*System of Competitive Bidding for the 3.45-3.55 GHz Band.* The Commission has pending for consideration a Further Notice of Proposed Rulemaking that would seek comment on applying the Commission's competitive bidding rules to mutually exclusive applications for new licenses for spectrum between 3.45 and 3.55 GHz.<sup>9</sup>

*System of Competitive Bidding for the T-Band.* Pursuant to a statutory mandate, the Commission is considering further action to offer new flexible use licenses in select cities in 470-512 MHz, also known as the T-Band.<sup>10</sup> New licenses in the T-Band may be assigned by competitive bidding.

*System of Competitive Bidding for FM Broadcast Construction Permits.* On March 25, 2020, the Commission postponed indefinitely an auction of 130 FM broadcast service construction permits (Auction 106), in which bidding was scheduled to begin on April 28, 2020.<sup>11</sup> Due to the postponement, previously filed applications to participate in the auction were dismissed and previously submitted upfront payments were refunded to the applicants. Pending the further development of the Commission's upcoming auction schedule, Commission has not yet rescheduled the auction.

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<sup>5</sup> *Transforming the 2.5 GHz Band*, Report and Order, 34 FCC Rcd 5446, 5447-48, para. 4 (2019) (*2.5 GHz Report and Order*).

<sup>6</sup> *Id.*

<sup>7</sup> *Wireless Telecommunications Bureau Announces Procedures for 2.5 GHz Rural Tribal Priority Window*, WT Docket No. 18-120, Public Notice, 35 FCC Rcd 308 (WTB 2020).

<sup>8</sup> *Id.*

<sup>9</sup> See *Facilitating Shared Use in the 3110-3550 MHz Band*, Public Draft of Report and Order and Further Notice of Proposed Rulemaking, available at <https://www.fcc.gov/document/facilitating-5g-345-355-ghz-band> (last visited September 24, 2020).

<sup>10</sup> *Reallocation of 470-512 MHz (T-Band) Spectrum*, PS Docket No. 13-42, Notice of Proposed Rulemaking, 35 FCC Rcd 6896 (2020)

<sup>11</sup> *Auction 106 Postponed*, AU Docket No. 19-290, Public Notice, 35 FCC Rcd 2866 (OEA/MB 2020)