



# PUBLIC NOTICE

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**386 APPLICANTS QUALIFIED TO BID  
IN THE RURAL DIGITAL OPPORTUNITY FUND PHASE I AUCTION  
(AUCTION 904)**

**BIDDING TO BEGIN ON OCTOBER 29, 2020**

**AU Docket No. 20-34**  
**WC Docket No. 19-126**  
**WC Docket No. 10-90**

1. By this Public Notice, the Rural Broadband Auctions Task Force, Office of Economics and Analytics, and Wireline Competition Bureau identify 386 applicants that are qualified to bid in Auction 904. Bidding is scheduled to begin on Thursday, October 29, 2020, and the auction will award up to \$16 billion over 10 years to service providers that commit to offer voice and broadband services to fixed locations in unserved high-cost areas.<sup>1</sup> This Public Notice also provides important information to qualified bidders regarding the Auction 904 bidding system, available educational materials, the mock auction, and the start of bidding in Auction 904. Finally, the Public Notice reminds applicants of certain procedures the Commission adopted for this auction.

**I. QUALIFIED BIDDERS AND NON-QUALIFIED APPLICANTS**

**A. Qualified Bidders**

2. Attachment A to this Public Notice lists the name of each of the 386 qualified bidders. Designation of an applicant as qualified to bid in the auction indicates that the applicant has provided the certifications and basic information concerning its qualifications, as required by the Commission's competitive bidding rules for participation in the auction, and has been determined to be financially and operationally qualified to participate in the auction.

3. Each of these applicants is qualified to bid in at least one of the states it selected for at least one of the performance tier and latency combinations it selected, provided that no further amendments are made to the short-form application that would cause a change in the applicant's qualifications.<sup>2</sup> A qualified bidder may not be eligible to bid in every state or for every performance tier and latency combination it selected. Each qualified bidder will be able to access its submitted application

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<sup>1</sup> See generally *Rural Digital Opportunity Fund Phase I Auction Scheduled for October 29, 2020; Notice and Filing Requirements and Other Procedures for Auction 904*, Public Notice, 35 FCC Rcd 6077 (2020) (*Auction 904 Procedures Public Notice*).

<sup>2</sup> Each applicant participating in competitive bidding proceedings must furnish additional or corrected information within five business days of a significant occurrence or amend its short-form application no more than five business days after the applicant becomes aware of the need for amendment. *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6141, para. 183.

and view the eligibility determination for each selected performance tier and latency combination directly in the Auction Application System on the *View Eligibility Determinations* page.<sup>3</sup>

4. Under the Commission's two-phased auction application process, after the close of the auction, a qualified bidder that wins one or more bids must submit a long-form application and meet various other requirements that are fully explained in the *Auction 904 Procedures Public Notice*.<sup>4</sup> Thus, a determination that an applicant is a qualified bidder is not determinative of an applicant's qualifications to receive Auction 904 support. In the event that a winning bidder does not become authorized to receive Auction 904 support for any reason, it will be subject to a forfeiture.<sup>5</sup>

5. In order to participate effectively in the auction, each qualified bidder should again carefully review the auction rules, procedures, educational materials, and other information described in the *Auction 904 Procedures Public Notice* and subsequent public notices. These public notices and other documents related to Auction 904 are available on the Commission's auctions website at [www.fcc.gov/auction/904](http://www.fcc.gov/auction/904). This Public Notice provides additional guidance for qualified bidders.

#### **B. Non-qualified Applicants**

6. Attachment B to this Public Notice lists each applicant that submitted a short-form application but did not qualify to bid in Auction 904. Even if it did not qualify, each applicant that submitted a short-form application for Auction 904 remains subject to the Commission's rules prohibiting certain communications pertaining to bids and bidding strategies.<sup>6</sup>

## **II. REGISTRATION AND ACCESS TO THE FCC AUCTION BIDDING SYSTEM**

#### **A. Registration Materials**

7. All qualified bidders have been automatically registered for the auction. Registration materials will be sent by overnight delivery to the contact person at the contact person's address identified in the qualified bidder's FCC Form 183. The contact person for each qualified bidder must distribute each RSA token to the specific authorized bidder as identified on each envelope contained in the registration materials package. Upon receipt, each qualified bidder should be in possession of the following:

- Three RSA SecurID® tokens (RSA tokens)<sup>7</sup>

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<sup>3</sup> The *View Eligibility Determinations* screen will display a view-only (*i.e.*, non-editable) "Final Eligibility Determinations" table showing: (1) each of the state, performance tier, latency, and technology combination(s) that the applicant selected; (2) a calculation of the T+L Weight associated with each performance tier and latency combination; and (3) a "Tier-Latency-Technology Eligibility" column with a determination of whether a performance tier, latency, and technology combination is, after resubmission review, "Eligible" or "Ineligible".

<sup>4</sup> See *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6163-78, paras. 286-320.

<sup>5</sup> See *id.* at 6178-79, paras. 321-23.

<sup>6</sup> See 47 CFR § 1.21002; *infra* Section V.A (Prohibited Communications).

<sup>7</sup> We previously announced that applicants with one authorized bidder would receive two RSA tokens and applicants with two or three authorized bidders would receive three RSA tokens. See *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6145, para. 205. However, each qualified bidder has been issued three RSA tokens. A bidder with three authorized bidders has been issued three RSA tokens, each labeled with the specific authorized bidder to whom it has been assigned. A bidder with two authorized bidder(s) has been issued an RSA token for each of its authorized bidders, plus one inactivated token. A bidder with one authorized bidder has been issued an RSA token for its authorized bidder, plus two inactivated RSA tokens. The extra RSA token(s) cannot be used unless the contact person, certifier, or an authorized bidder for the qualified bidder contacts the FCC to activate the extra token for a specific additional authorized bidder or for an authorized bidder whose token has been lost or damaged.

- A web address and instructions for accessing and logging in to the FCC auction bidding system
- An FCC-assigned username (user ID) for each authorized bidder
- The FCC Auction Bidder Line telephone number

8. A qualified bidder must have the above-referenced registration materials to participate in the mock auction and to bid in Auction 904.<sup>8</sup> Any qualified bidder listed in Attachment A of this Public Notice that has not received the registration mailing **by 12:00 p.m. Eastern Time (ET) on Tuesday, October 20, 2020**, should contact the Auctions Hotline at (717) 338-2868. Receipt of the registration mailing is critical for participation in the mock auction and bidding in Auction 904. Each qualified bidder is responsible for ensuring that it has received all the registration materials and has distributed the materials necessary for bidding to its authorized bidders.

9. Each qualified bidder is solely responsible for ensuring the security and functionality of its computer systems, Internet connection(s), and registration materials. It must also ensure that only authorized bidders place bids on its behalf. The Commission and its contractors assume no responsibility or liability for these matters. **WARNING: Any unauthorized entity accessing or tampering with an FCC or other government computer system will be prosecuted to the full extent of the law.**

#### **B. Registration Materials Replacement**

10. In the event a qualified bidder's SecurID® tokens are lost or damaged, only a person who has been designated as an authorized bidder, the contact person or the certifying official on the applicant's FCC Form 183 may request replacements. To request replacements for these items, call the Auction Bidder Line at the telephone number provided in the registration materials, or the Auctions Hotline at (717) 338-2868.

#### **C. Access to the FCC Auction Bidding System**

11. The Commission will conduct the mock auction and bidding in Auction 904 electronically over the Internet. Each qualified bidder will receive in its registration materials the web address for accessing the FCC auction bidding system and the phone number for the Auction Bidder Line.

12. Bidders will first be able to access the FCC auction bidding system on Thursday, October 22, 2020, from 9:00 a.m. ET until 5:00 p.m. ET.

13. Each authorized bidder must have his or her own activated RSA token to access the FCC auction bidding system and place bids in the mock auction and Auction 904. For security purposes, the RSA tokens and their instructions are sent only to the contact person at the contact address listed on the qualified bidder's FCC Form 183. Each RSA token is tailored to a specific auction and for a specific authorized bidder. RSA tokens issued for other auctions or obtained from a source other than the Commission will not work for Auction 904.

14. There are minimum system requirements for accessing the FCC auction bidding system. Bidders must access the FCC auction bidding system over the Internet. To use the FCC auction bidding system, each applicant must have the following:

- Web browser, either of the following is recommended:
  - A recent version of Google Chrome™ (preferred) or Microsoft Edge (Chromium)(the browser must be configured to accept cookies and JavaScript)

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<sup>8</sup> The contact person is responsible for distributing each RSA token to the specific authorized bidder associated with each token, as well as the relevant information in the registration materials necessary for the authorized bidder to set up his or her access to the bidding system.

- Operating system:
  - Microsoft® Windows® 10; or Apple® Mac OS X® 10.13 with at least 8 GB of memory
- 1920 x 1080 screen resolution<sup>9</sup>
- A spreadsheet program such as Microsoft® Excel® 2013 or later is recommended for editing bid files (a text-editing program may suffice in some situations)
- Note: Smartphones and tablets are not supported.

15. Users should test their computer configurations and browser(s) with the FCC auction bidding system in advance of the auction—for example, during the mock auction. Any user attempting to access the FCC auction bidding system with a computer configuration or device that does not meet the requirements listed in the user guide is solely responsible for any resulting failure to access the FCC auction bidding system, failure to do so in a timely manner, or failure of the FCC auction bidding system to process the user’s attempted bidding or other actions (even if it appears to the user that such actions were completed properly).

16. Telephonic bidding will not be available for Auction 904. However, the Auction Bidder Line will be available for bidder questions during the mock and actual auctions for bidder questions.<sup>10</sup>

17. RSA tokens can be reused.<sup>11</sup> We strongly encourage bidders to return the tokens to the Commission. We will provide pre-addressed envelopes for returning the tokens once bidding is closed.

#### **D. Bidding Contingency Plan**

18. Prior to the start of the auction, each bidder should develop a comprehensive contingency plan that it can quickly implement in case difficulties arise when participating in the auction. While the Commission will correct any problems with Commission-controlled facilities, each bidder is solely responsible for anticipating and overcoming any other problems that arise, such as bidder computer failures or other technical issues, loss of or problems with data connections, telephone service and power interruptions, adverse local weather conditions, unavailability of its authorized bidders, or the loss or breach of confidential security codes.

19. A qualified bidder should ensure that each of its authorized bidders can access and place bids in the FCC auction bidding system, without relying upon the same computer. Moreover, a contingency plan should include arrangements for accessing and placing bids in the FCC auction bidding system from one or more alternative locations.

20. If for any reason a bidder fails to submit all its bids before the round closes, it may lose some or all of its bidding eligibility. If a bidder loses all its bidding eligibility, it will no longer be able to bid in the auction. The Commission will not be able to restore any portion of a bidder’s lost bidding eligibility.

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<sup>9</sup> Other screen resolutions will work, but a minimum of 1920 x 1080 is required to fit all the information from the FCC auction bidding system on a single screen without horizontal scrolling. If all the information cannot fit on your display, you can either zoom out using your Internet browser or scroll right and left using the scroll bars. To adjust the zoom, hold down the control (“ctrl”) key and use the “+” and “-” keys to zoom in and out.

<sup>10</sup> The Auction Bidder Line telephone number will be supplied in the registration materials sent to each qualified bidder.

<sup>11</sup> An RSA token can only be recycled if it is returned in good condition with nothing written or glued on it.

### III. MOCK AUCTION INFORMATION

#### A. Mock Auction Dates and Schedule

21. All qualified bidders in Auction 904 will have the opportunity to participate in a mock auction. We strongly encourage each qualified bidder in Auction 904 to participate in its assigned mock auction as it provides an opportunity for the bidder to become familiar with the FCC auction bidding system, practice submitting bids, and to test each bidder's contingency plans.

22. In order to accommodate the large number of qualified bidders and to ensure that each has sufficient opportunity to ask questions or to request bidding assistance, we have scheduled multiple mock auction dates. **Each qualified bidder will be assigned to one of three mock auction dates: Friday, October 23; Monday, October 26; or Tuesday, October 27, 2020.** Qualified bidders must look up their assigned mock auction date using the "Assigned Mock Auction Dates" link in the Education section of the Auction 904 website at [www.fcc.gov/auction/904](http://www.fcc.gov/auction/904).

23. Each qualified bidder will be able to access its assigned mock auction data in the auction bidding system starting at 9:00 a.m. ET on its assigned mock auction day (Friday, October 23; Monday, October 26; or Tuesday, October 27, 2020). The mock auction bidding schedule will be the same for each mock auction day and will be as follows:

Mock Bidding Round 1	10:00 a.m. – 11:00 a.m. ET
Mock Bidding Round 2	12:00 p.m. – 1:00 p.m. ET
Mock Bidding Round 3	2:00 p.m. – 3:00 p.m. ET
Mock Bidding Round 4	4:00 p.m. – 4:30 p.m. ET
Access to the bidding system closes	5:30 p.m. ET

#### B. Mock Auction Configuration

24. For the mock auction, each qualified bidder will be assigned a set of states and performance tier and latency combinations for which it may bid—these will NOT represent the actual states and performance tier and latency combinations for which the bidder is qualified to bid in Auction 904.<sup>12</sup> The mock auction bidding scenarios and auction configuration, described below, do not predict actual bidding in the auction but are designed to provide qualified bidders with useful experience with the auction bidding system.

25. *State Selections.* Each Auction 904 qualified bidder will be assigned the same number of states as it is eligible to bid on in the actual auction, up to a maximum of 10 states. For example, if a qualified bidder is eligible to bid on eight states, it will be assigned eight states for the mock auction. If a qualified bidder is eligible to bid on more than 10 states, it will be assigned 10 states for the mock auction. The states will be randomly selected for each qualified bidder.

26. *Performance Tier and Latency Combination Selections.* Each Auction 904 qualified bidder will be assigned the maximum number of performance tier and latency combinations for which it is eligible to bid in any state in the actual auction, up to a maximum of four combinations. For example, if a qualified bidder is eligible to bid on at most two different performance tier and latency combinations, it will be assigned two performance tier and latency combinations for the mock auction. If a qualified bidder is eligible to bid on more than four performance tier and latency combinations in any state, it will be assigned four performance tier and latency combinations for the mock auction. For the mock auction,

<sup>12</sup> Consistent with the anonymous bidding procedures in effect for Auction 904, states and performance tier and latency combinations will be confidentially assigned to each qualified bidder through the auction bidding system environment that will be used for the mock auction. These data will be assigned randomly within the parameters described below.

qualified bidders will be assigned only performance tier and latency combinations with T+L weights of 0, 20, 35, or 40, regardless of the T+L weights for which they are eligible in the actual bidding. For example, a bidder may be assigned to bid in the mock auction at the gigabit performance tier with low latency, because the corresponding T+L weight is 0, but will not be assigned to bid at the minimum performance tier and high latency, because the corresponding T+L weight is 90.

27. *Mock Auction Clock Percentages.* The opening percentage for the mock auction will be set at 140%. The decrement percentage will be set at 40% for the first round, and at 10% for the following rounds.<sup>13</sup> That is, the clock percentage for round 1 will be 100%, the clock percentage for round 2 will be 90%, the clock percentage for round 3 will be 80%, and the clock percentage for round 4 will be 70%. In all other respects (*e.g.*, annual budget, maximum switching percentage), the procedures for the start of Auction 904 will apply for the start of the mock auction.

#### IV. AUCTION INFORMATION

##### A. Bidding Schedule

28. Bidding in Auction 904 will begin October 29, 2020, with the following schedule for a single bidding round:

Bidding Round      10:00 a.m. – 4:00 p.m. ET

There will be no bidding on Friday, October 30, 2020. Bidding will resume on Monday, November 2, 2020, and will continue with one round every business day until further notice.

29. We will set the pace of the auction based upon monitoring of the bidding and assessment of the auction's progress. We will announce any subsequent schedule changes, for example conducting two bidding rounds per day, via the FCC auction bidding system during the course of the auction.

##### B. Auction Announcements

30. We will post pertinent auction information as announcements in the FCC auction bidding system. Each bidder should routinely check for announcements each time it enters the bidding system and should click on and read the entirety of each announcement carefully. Announcements convey important auction information, such as bidding schedule changes.

##### C. Submitting Bids

31. The process of submitting bids requires bidders to upload .csv formatted files of their bids. The FCC auction bidding system will provide each bidder access to a bidding file template that identifies the areas in any state in which the bidder is eligible to bid. A bidder may submit bids using the bidding template file or a different .csv file as long as the file meets the bid file formatting requirements set forth in the Auction 904 Bidding System User Guide at Section 7.2 and the file formats document referenced above. Note that a separate bid file must be uploaded for each state in which the bidder is bidding and that each successfully uploaded bid file for a state will fully replace any previously uploaded bids.

32. Each bidder is cautioned to upload and review its bids carefully because winning bids confer certain obligations. Any winning bidder that fails to meet these obligations will be subject to a default payment.<sup>14</sup>

<sup>13</sup> In contrast, at the start of Auction 904, the decrement percentage will be set at ten percent. *See Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6156, para. 254.

<sup>14</sup> *Id.* at 6178-79, paras. 321-23.

#### D. Round Results

33. Round results will be available to auction participants via the FCC auction bidding system after the close of each round. We anticipate that it will usually take approximately 30 to 45 minutes for round results to become available after each round.

34. Auction 904 will be conducted using procedures under which any information that may indicate specific applicants' interests in the auction will be withheld from the public until after the close of bidding and announcement of auction results.<sup>15</sup> Once the auction results are announced, all of the bidding data, except for proxy bidding instructions, will be made public.

35. Each bidder will have access to information about its own bidding during the auction as well as information indicating the number of bidders for each eligible area.<sup>16</sup> Bidder-specific information is available to the bidder only when logged in to the FCC auction bidding system. When a bidder is logged in to the bidding system, it will have access to a record of the bids it placed by using *My Bid Summary* feature and will have access to the results of its bids by using the *My Results* feature. These features can be accessed using the links in the navigation bar of the bidding system.

36. Detailed instructions for reviewing and downloading round results are provided in the user guide.

#### E. Bidder Questions During Auction 904 and the Mock Auction

37. Commission auction staff and technical support staff will be available during the mock auction and the auction. To ask questions during the auction, a bidder may use the FCC Auction Bidder Line telephone number supplied in the registration materials. Only a person who has been designated as an authorized bidder, the contact person, or the certifying official on the qualified bidder's FCC Form 183 should call on behalf of a bidder. When calling, the person should state that he or she is calling on behalf of a bidder with a time-sensitive auction question, and the person must have his or her login information and RSA token available. If calling while a round is open for bidding, a caller should call as early in the round as possible so that there is time for the bidder to implement any desired bidding activities before the round closes.

38. Alternatively, a bidder may submit questions or suggestions concerning Auction 904 using the *Messages* feature in the bidding system.<sup>17</sup> However, this is not an appropriate mechanism for asking time-sensitive questions that may need an immediate response. **Any time-sensitive questions should be directed to the Auction Bidder Line. Time-sensitive technical issues should be directed to the FCC Auctions Technical Support Hotline.**

39. For more general questions about Auction 904, please refer to the contact information provided in Section VII (Contact Information), below.

### V. APPLICANTS' CONTINUING OBLIGATIONS

#### A. Duty to Maintain Accurate Information in the Short-Form Applications

40. We remind applicants of the duty to maintain the accuracy and completeness of information furnished in a short-form application to participate in Auction 904.<sup>18</sup> Each applicant should amend its short-form application to furnish additional or corrected information within five business days of a significant occurrence, or no more than five business days after the applicant becomes aware of the

<sup>15</sup> *Id.* at 6161-63, paras. 278-82.

<sup>16</sup> The actual number of bidders will not be disclosed; rather, we will disclose whether the number of bidders that placed bids at the previous round's base clock percentage was 0, 1, or 2 or more. *See id.*

<sup>17</sup> To access the *Messages* feature, select the Messages link on the navigation pane of the bidding system. For information on how to use this feature, see the Auction 904 Bidding System User Guide.

<sup>18</sup> *See Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6141, para. 183.

need for amendment.<sup>19</sup> All changes are subject to review by Commission staff.

41. An applicant that needs to make permissible minor changes to its FCC Form 183 or that must make changes in order to maintain the accuracy and completeness of its short-form application during a time when the Auction Application System is available to the applicant for purposes of making the type of change(s) required<sup>20</sup> should make such changes to its FCC Form 183 electronically using the Auction Application System. For all other application changes, an applicant must submit a letter briefly summarizing the changes to its FCC Form 183 by email to [auction904@fcc.gov](mailto:auction904@fcc.gov) to the attention of the Auctions Division Chief.<sup>21</sup> An applicant must not submit application-specific material through the Commission's Electronic Comment Filing System.

42. For more information on an applicant's continuing obligation to maintain the accuracy and completeness of information furnished in its application to participate in Auction 904, applicants should refer to previous Auction 904 public notices, including the *Auction 904 Procedures Public Notice*.<sup>22</sup>

### **B. Due Diligence**

43. We remind each potential bidder that it is solely responsible for investigating and evaluating all technical and marketplace factors that may have a bearing on the level of support submitted as a bid in Auction 904. Each applicant is also responsible for conducting its own research in order to determine the existence of pending administrative or judicial proceedings, including pending rulemaking proceedings that might affect its decisions regarding participation in the auction. Additionally, a bidder is responsible for ensuring that, if it wins support, it will be able to build and operate facilities that fully comply with all technical and legal requirements. For further details regarding due diligence, please refer to the *Auction 904 Procedures Public Notice*.<sup>23</sup>

### **C. Prohibition of Certain Communications**

44. We remind applicants that the rule prohibiting certain communications set forth in section 1.21002 of the Commission's rules applies to each applicant that filed a short-form application in Auction 904.<sup>24</sup> Section 1.21002 provides that after the deadline for filing a short-form application, an applicant "is prohibited from communicating with any other applicant in any manner the substance of its own, or one another's, or any competing applicant's bids or bidding strategies, until after the post-auction deadline for winning bidders to submit applications for support."<sup>25</sup>

45. This prohibition took effect as of the short-form application filing deadline on July 15, 2020, at 6:00 p.m. ET, and extends until the long-form application deadline. As discussed in the

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<sup>19</sup> *Id.*

<sup>20</sup> As described in the Commission's rules, an applicant may make only minor corrections to its short-form application (*e.g.*, changing certain contact information or authorized bidder information). *See id.* at 6141, para. 182. Major modifications include selecting additional states in which to bid or change in control of the applicant. *Id.*

<sup>21</sup> The letter summarizing the changes must include a subject or caption referring to Auction 904 and the name of the applicant, for example, "Re: Changes to Auction 904 Application of XYZ Corp." Any attachments to email must be formatted as Adobe® Acrobat® (PDF) or Microsoft® Word documents.

<sup>22</sup> *See Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6141, para. 183. Questions about FCC Form 183 amendments should be directed to the Auctions Division at (202) 418-0660 or by email to [auction904@fcc.gov](mailto:auction904@fcc.gov).

<sup>23</sup> *See Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6125-27, paras. 128-34.

<sup>24</sup> 47 CFR § 1.21002.

<sup>25</sup> *Id.* § 1.21002(b).



*Auction 904 Procedures Public Notice*, the long-form application due date will be announced in the Auction 904 closing public notice.<sup>26</sup>

46. **This prohibition applies to all applicants regardless of whether such applicants became qualified bidders or actually bid.**<sup>27</sup> We also emphasize that, for purposes of this prohibition, an “applicant” includes the entity filing the application, each party capable of controlling the applicant, and each party that may be controlled by the applicant or by a party capable of controlling the applicant.<sup>28</sup>

47. The prohibition of “communicating in any manner” includes public disclosures as well as private communications and indirect or implicit communications of bids and bidding strategies.<sup>29</sup> Consequently, an applicant must take care to determine whether its auction-related communications may reach another applicant.

48. *Disclosure Obligations.* Section 1.21002(c) provides that any applicant that makes or receives a communication that appears to violate section 1.21002 must report such communication in writing to the Commission immediately, and in no case later than five business days after the communication occurs.<sup>30</sup> An applicant’s obligation to make such a report continues until the report has been made.<sup>31</sup>

49. *Reporting Prohibited Communications.* Parties must file only a single report concerning a prohibited communication and must file that report with the Commission personnel expressly charged with administering the Commission’s auctions.<sup>32</sup> This rule is designed to minimize the risk of inadvertent dissemination of information in such reports.<sup>33</sup> Any reports required by section 1.21002(c) must be filed consistent with the instructions set forth in the *Auction 904 Procedures Public Notice*.<sup>34</sup> In particular, such reports for Auction 904 must be filed with Jonathan Campbell, Chief of the Auctions Division, Office of Economics and Analytics, by the most expeditious means available, such as via email to [auction904@fcc.gov](mailto:auction904@fcc.gov).

50. A party seeking to report such a prohibited communication should consider submitting its report with a request that the report or portions of the submission be withheld from public inspection by

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<sup>26</sup> See *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6165, para. 294.

<sup>27</sup> A party that submits an application becomes an “applicant” under the rule at the application filing deadline and that status does not change based on subsequent developments. See 47 CFR § 1.2001(a).

<sup>28</sup> 47 CFR § 1.21002(a).

<sup>29</sup> See *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6132-36, paras. 152-64.

<sup>30</sup> 47 CFR § 1.21002(c).

<sup>31</sup> *Id.*

<sup>32</sup> *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6137, para. 171. This process differs from filing procedures used in connection with other Commission rules and processes, which may call for submission of filings to the Commission’s Office of the Secretary or ECFS. Filing through the Office of Secretary or ECFS could allow the report to become publicly available and might result in the communication of prohibited information to other auction applicants.

<sup>33</sup> A party reporting any prohibited communication must take care to ensure that any report of a prohibited communication does not itself give rise to a violation of section 1.21002. For example, a party’s report of a prohibited communication could violate the rule by communicating prohibited information to other applicants through the use of Commission filing procedures that would allow such materials to be made available for public inspection.

<sup>34</sup> See *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6137-38, paras. 170-72.

following the procedures specified in section 0.459 of the Commission's rules.<sup>35</sup> We encourage such parties to coordinate with Auctions Division staff about the procedures for submitting such reports.

51. Any applicant found to have violated section 1.21002 of the Commission's rules is subject to sanctions.<sup>36</sup> In addition, we remind applicants that they are subject to the antitrust laws.<sup>37</sup> If an applicant is found to have violated the antitrust laws or the Commission's rules in connection with its participation in the competitive bidding process, it may be subject to forfeiture and may be prohibited from participating in this and future Commission auctions, among other sanctions.<sup>38</sup>

#### **D. Limited Information Procedures**

52. We remind applicants that, under the limited information procedures in effect for Auction 904 (sometimes also referred to as anonymous bidding), the Commission is withholding from public release, until after the close of bidding in Auction 904, any information that may indicate specific applicants' interests in the auction—including, among other things, the performance and latency tiers that applicants have sought to qualify for and/or seek to bid on, operational information, letters of interest, and confidential financial information.<sup>39</sup> Applicants should take care not to publicly disclose such information.

#### **E. Submissions of Auction Related Filings**

53. A party wishing to submit a request, a complaint, or other information concerning Auction 904 should, in addition to following other procedures prescribed by the Commission's rules, send a copy by email to [auction904@fcc.gov](mailto:auction904@fcc.gov) to the attention of the Chief of the Auctions Division. We occasionally receive complaints regarding specific bidders and requests to suspend bidding during an auction. While we reserve the right to take appropriate action during an auction to preserve the integrity of the auction process, it is generally our practice to address any such allegations only after a winning bidder has submitted its long-form application, when there is greater opportunity for investigation of such allegations, if warranted. The Commission will not investigate any complaints or allegations that are not accompanied by full contact information, including name, address, and telephone number for the complaining party or parties.

### **VI. POST-AUCTION PROCEDURES**

54. Shortly after bidding in Auction 904 has ended, a public notice will be released that declares the auction closed, identifies the winning bidders, and establishes deadlines for filing the long-form application. Winning bidders will use the FCC Form 683 and the FCC Auction System to submit the long-form application.<sup>40</sup> Further filing instructions will be provided to winning bidders at the close of the auction.

### **VII. CONTACT INFORMATION**

55. For further information concerning Auction 904, please contact:

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<sup>35</sup> See 47 CFR § 0.459. Filers requesting confidential treatment of documents must be sure that the cover page of the filing prominently displays the request for confidential treatment. For example, a filing might include a cover page stamped with "Request for Confidential Treatment Attached" or "Not for Public Inspection." Any such request must cover all the material to which the request applies. See *id.* § 0.459(a).

<sup>36</sup> See, e.g., *id.* § 1.2109(d).

<sup>37</sup> See *Auction 904 Procedures Public Notice*, 35 FCC Rcd at 6138-39, paras. 175-76.

<sup>38</sup> See *id.* at 6139, para. 176.

<sup>39</sup> See *id.* at 6130-31, paras. 140-45.

<sup>40</sup> See 47 CFR § 54.1005(b). FCC Form 683 is pending approval by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13.

**General Auction Information**

General Auction Questions  
Auction Process and Procedures

**Auction 904 Process and Procedures**

Bidding Procedures  
Auction Schedule

**Auction 904 Legal Information**

Auction Rules, Policies, Regulations, including  
Reports Pursuant to section 1.21002 and  
Application Modifications

**General Universal Service Questions****Technical Support**

Electronic Filing  
Auction Application System and Auction  
Bidding System (Hardware/Software Issues)

**FCC Email & Websites****Press Information****FCC Forms****Accessible Formats**

Braille, large print, electronic files, or  
audio format for people with disabilities

**Small Businesses**

Additional information for small and  
disadvantaged businesses

**FCC Auctions Hotline**

(888) 225-5322, option two; or  
(717) 338-2868

**Auctions Division**

Auctions Hotline, (717) 338-2868

**Rural Broadband Auctions Task Force**

Michael Janson, (202) 418-0627  
Kirk Burgee, (202) 418-1599  
Jonathan McCormack, (202) 418-1065  
Audra Hale-Maddox, (202) 418-0794

**Office of Economics and Analytics****Auctions Division**

Mark Montano  
Daniel Habif  
(202) 418-0660

**Wireline Competition Bureau****Telecommunications Access Policy Division**

Alex Minard  
Heidi Lankau  
Lauren Garry  
Ian Forbes  
(202) 418-7400

**FCC Auctions Technical Support Hotline**

(877) 480-3201, option nine; or (202) 414-1250  
(202) 414-1255 (TTY)  
Hours of service: 8:00 a.m. – 6:00 p.m. ET,  
Monday through Friday

[auction904@fcc.gov](mailto:auction904@fcc.gov)

[www.fcc.gov](http://www.fcc.gov)

[www.fcc.gov/auction/904](http://www.fcc.gov/auction/904)

Anne Veigle, (202) 418-0500

(800) 418-3676 (outside Washington, DC)

(202) 418-3676 (in the Washington area)

[www.fcc.gov/formpage.html](http://www.fcc.gov/formpage.html)

**Consumer and Governmental Affairs Bureau**

(202) 418-0530 or (202) 418-0432 (TTY)

[fcc504@fcc.gov](mailto:fcc504@fcc.gov)

**Office of Communications Business****Opportunities**

(202) 418-0990

<http://www.fcc.gov/ocbo/>

**Tribal Issues**

Additional information for entities seeking to provide service to Tribal lands and Tribal governments

**Office of Native Affairs and Policy**

(202) 418-2930  
[native@fcc.gov](mailto:native@fcc.gov)

56. To request materials in accessible formats (Braille, large print, electronic files, audio format) for people with disabilities, send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-0432 (TTY).

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