



PUBLIC NOTICE

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**WIRELESS TELECOMMUNICATIONS BUREAU
AND OFFICE OF ECONOMICS AND ANALYTICS ANNOUNCE
39 GHZ LICENSE CANCELLATIONS AND
INCENTIVE PAYMENTS READY TO BE PAID BASED ON AUCTION 103**

AU Docket No. 19-59
GN Docket No. 14-177

1. By this Public Notice, the Wireless Telecommunications Bureau and the Office of Economics and Analytics of the Federal Communications Commission (Commission) announce that incentive payments determined by Auction 103 are ready to be paid. These incentive payments will be made consistent with the Commission's incentive auction authority to specified entities identified pursuant to the 39 GHz reconfiguration procedures previously established.¹ The *Auction 103 Closing PN* announced the incentive payment amounts determined by Auction 103, the entities that will receive them, and the extent to which any incentive payment would be applied to payment of winning bids for new licenses. In a separate public notice, the Commission has announced that certain applications for Auction 103 licenses have been granted.² As a result, the winning bid payments for the licenses associated with those granted applications have become available as auction proceeds. Those available auction proceeds are sufficient to make all the previously determined Auction 103 incentive payments. Accordingly, this Public Notice announces that based on prior commitments to relinquish spectrum usage rights in exchange for the incentive payments, the related 39 GHz licenses have been cancelled; that incentive payments have been applied to payment of winning bids in Auction 103; and that cash payments are being made with respect to the remaining incentive payment amounts.

2. This Public Notice lists in an attachment all licensees that held 39 GHz licenses that have been cancelled based on a commitment before Auction 103 to relinquish related spectrum usage rights.³ The licensees are listed, where applicable, based on the group of commonly controlled licensees that made each commitment as a group. The groups are listed in alphabetical order by the name of licensee chosen by the group to make the commitment, referred to as the 39 GHz Incumbent.⁴ If there are multiple

¹ *Incentive Auction of Upper Microwave Flexible Use Service Licenses In the Upper 37 GHz, 39 GHz, and 47 GHz Bands for Next-Generation Wireless Services Closes*, AU Docket No. 19-59, Public Notice, DA 20-253, para. 4 (OEA/WTB, Mar. 12, 2020) (*Auction 103 Closing PN*).

² See, generally, *Wireless Telecommunications Bureau Grants Auction 103 Upper Microwave Flexible Use Service Licenses*, Auction No. 103, Public Notice, DA 20-582 (WTB, June 4, 2020).

³ As explained in the *Auction 103 Closing PN*, the Commission sent each entity that made a commitment to relinquish spectrum usage rights an FCC Form 1877 after the close of the auction. *Auction 103 Closing PN*, paras 8-12. Each licensee relinquishing 39 GHz spectrum usage rights had to make acknowledgments regarding those relinquishments in that form. The Commission has received an original executed and notarized FCC Form 1877 containing the required acknowledgements for each licensee.

licensees in a commonly controlled group with a 39 GHz Incumbent, the commonly controlled licensees are listed immediately following the 39 GHz Incumbent, again in alphabetical order.

3. The attachment also lists the amount of any cash incentive payments that is ready to be paid to the respective licensee.⁵ As noted in the *Auction 103 Closing PN*, 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 in FCC Form 1877 or when each incentive payment will become available to the account holder.⁶

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⁴ See *Auction 103 Closing PN*, para. 6 and Attachment A.

⁵ Those payments are being made pursuant to the instructions those licensees submitted in FCC Form 1877. As licensees acknowledged in that form, portions of an incentive payment could be offset by applicable debts. Moreover, the U.S. Treasury has authority to offset federal payments, including incentive payments, based on information not available to the Commission. See generally 31 U.S.C. §3701 *et seq.* An existing licensee needing information regarding any discrepancy between the amount in the attachment and the amount received may need to seek the information directly from the U.S. Treasury by calling 1-800-304-3107. Hearing impaired callers may use the Federal Relay Service by dialing 1-800-877-8339 to reach a communications assistant who will dial the toll-free number.

⁶ *Auction 103 Closing PN*, para. 12.