



PUBLIC NOTICE

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DA 24-89

Released: February 1, 2024

WIRELESS TELECOMMUNICATIONS BUREAU GRANTS AUCTION 108 LICENSES

Auction No. 108

By this Public Notice, the Wireless Telecommunications Bureau (WTB) announces the grant of three long-form applications and issuance of 16 licenses for Auction 108. On August 29, 2022, the Federal Communications Commission (Commission) completed the auction of new flexible-use geographic overlay licenses in the (2.5 GHz) band, and the Office of Economics and Analytics (OEA) and the Wireless Telecommunications Bureau (WTB) announced the results of that auction on September 1, 2022.¹ This auction raised a total of \$419,133,261 in net bids and \$427,789,670 in gross bids, with 63 bidders winning a total of 7,872 licenses.² Long-form applications for licenses won in Auction 108 were due on September 16, 2022.³ WTB accepted these three Auction 108 applications for filing on January 16, 2024.⁴

¹ *Auction of Flexible-Use Licenses in the 2.5 GHz Band Closes*, Public Notice, 37 FCC Rcd 10117 (OEA & WTB Sept. 1, 2022).

² “Gross bids” refers to the total of winning bid amounts at the close of bidding and does not reflect any small business or rural service provider bidding credits claimed by eligible winning bidders. “Net bids” refers to the total of winning bid amounts as adjusted for any small business or rural service provider bidding credits claimed by winning bidders.

³ On October 26, 2022, WTB released the first accepted for filing public notice for Auction 108 which found 52 applications acceptable for filing. *Wireless Telecommunications Bureau Announces that Applications for Auction 108 Licenses Are Accepted for Filing*, Public Notice, 37 FCC Rcd 12344 (WTB Oct. 26, 2022). Subsequently, on December 1, 2022, WTB granted 51 of those 52 applications. *Wireless Telecommunications Bureau Grants Auction 108 Licenses*, Public Notice, 37 FCC Rcd 14020 (WTB Dec. 1, 2022). On December 8, 2022, WTB released the second accepted for filing public notice for Auction 108 which found four applications acceptable for filing. *Wireless Telecommunications Bureau Announces that Applications for Auction 108 Licenses Are Accepted for Filing*, Public Notice, 37 FCC Rcd 14127 (WTB Dec. 8, 2022). Those four applications were subsequently granted on January 5, 2023. *Wireless Telecommunications Bureau Grants Auction 108 Licenses*, Public Notice, DA 23-12 (WTB Jan. 5, 2023). On February 14, 2023, WTB release the third accepted for filing public notice for Auction 108 which found seven applications acceptable for filing. *Wireless Telecommunications Bureau Announces that Applications for Auction 108 Licenses Are Accepted for Filing*, Public Notice, DA 23-125 (WTB Feb. 14, 2023). Those seven applications were subsequently granted on March 1, 2023. *Wireless Telecommunications Bureau Grants Auction 108 Licenses*, Public Notice, DA 23-155 (WTB Mar. 1, 2023). Subsequently, the Commission’s authority to issue licenses pursuant to a system of competitive bidding lapsed on March 9, 2023. *See* 47 USC 309(j)(11); Consolidated Appropriations Act, 2023, Pub. L. No. 117-328, 136 Stat. 4459 (December 29, 2022) (extending the Commission’s spectrum auction authority through March 9, 2023). Congress subsequently passed legislation authorizing the Commission to process any remaining licenses won in Auction 108 within 90 days of enactment, which occurred on December 19, 2023. *See* 5G Spectrum Authority Licensing Enforcement Act (5G SALE Act), Pub. L. No. 118-27 (2023).

⁴ *Wireless Telecommunications Bureau Announces that Applications for Auction 108 Licenses Are Accepted for Filing*, Public Notice, DA 24-37 (WTB Jan. 16, 2024).

Upon further review and examination, WTB finds the applications for the licenses listed in Attachment A to be complete and in conformance with the Commission's rules. We find that granting the applications for the licenses listed in Attachment A serves the public interest, convenience, and necessity. Furthermore, the Commission has received full payment for the licenses listed in Attachment A, as required by section 1.2109(a) of its rules.⁵ Accordingly, by this Public Notice, we announce the grant of the licenses listed in Attachment A. We grant these licenses pursuant to section 309(a) of the Communications Act, 47 U.S.C. § 309(a), and sections 0.131 and 0.331 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331.

We remind licensees that they should review all Commission orders and public notices establishing rules and policies for the 2.5 GHz Band.⁶ Each licensee is solely responsible for complying with all FCC rules and regulations associated with these licenses. Notably, we remind Auction 108 licensees that they must protect existing incumbent licenses, including Rural Tribal Priority Window (RTPW) licenses.⁷ We further remind licensees that pending RTPW applications may affect the licenses issued in Auction 108. Licenses granted through applications received during the RTPW will have incumbent status vis-à-vis licenses awarded in Auction 108.⁸ In other words, any winning bidder awarded a license in Auction 108 may not operate within the license area of a successful RTPW applicant, even if that RTPW application remains pending at the time of issuance of the Auction 108 overlay license.

This Public Notice includes two attachments:

Attachment A – Flexible-Use Licenses Granted – Sorted by Licensee

Attachment B – Flexible-Use Licenses Granted – Sorted by Market Number

Please contact Madelaine Maior or Nadja Sodos-Wallace at Madelaine.Maior@fcc.gov and Nadja.SodosWallace@fcc.gov for questions regarding legal matters or licensing issues. Please contact Will Wiquist at (202) 418-0509 or Will.Wiquist@fcc.gov for press questions.

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⁵ 47 CFR § 1.2109(a).

⁶ See generally *Transforming the 2.5 GHz Band*, WT Docket No. 18-120, Report and Order, 34 FCC Rcd 5446 (2019) (modified by Erratum, 34 FCC Rcd 10386 (WTB 2019)) (*2.5 GHz Report and Order*).

⁷ See *2.5 GHz Report and Order*, 34 FCC Rcd at 5473, para. 77; 47 CFR § 27.1206(b)(2)(ii).

⁸ See *Auction of Flexible-Use Licenses in the 2.5 GHz Band for Next-Generation Wireless Services; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures of Auction 108; Bidding Scheduled to Begin July 29, 2022*, AU Docket No. 20-429, Public Notice, 37 FCC Rcd 4370, 4378, para. 14, 4376, para. 9 (2022).