



# PUBLIC NOTICE

Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

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

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## AUCTION OF ADVANCED WIRELESS SERVICES (AWS-3) LICENSES

### 17 APPLICANTS QUALIFIED TO BID IN AUCTION 113

#### AU Docket No. 25-117

1. By this Public Notice, the Office of Economics and Analytics (OEA) and the Wireless Telecommunications Bureau (WTB) identify 17 applicants that are qualified to bid in Auction 113.<sup>1</sup> Auction 113 will offer Advanced Wireless Services licenses in the 1695–1710 MHz, 1755–1780 MHz, and 2155–2180 MHz bands (collectively, the “AWS-3” bands).<sup>2</sup> Bidding in Auction 113 is scheduled to begin on June 2, 2026. This Public Notice also provides important information to qualified bidders concerning access to the Auction 113 bidding system, available educational materials, the mock auction, and the start of bidding in Auction 113. Finally, the Public Notice reminds all applicants, including those that are not qualified to bid, of certain requirements adopted for this auction.

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

2. The short-form applications (FCC Forms 175) to participate in Auction 113 have been reviewed for completeness and compliance with the Commission’s rules, and the applicants have been classified into the categories listed below.

<b>Qualified</b> .....	<b>17 applicants</b>
<b>Non-Qualified</b> .....	<b>2 applicants</b>

3. **Qualified Bidders.** Attachment A to this Public Notice lists the names of the 17 qualified bidders.<sup>3</sup> Attachment A also indicates whether the applicant has claimed eligibility for a small business or rural service provider bidding credit. For those applicants claiming a small business bidding credit, the attachment lists each qualified bidder’s claimed bidding credit revenue range. Designation of an applicant as qualified to bid in the auction indicates that the applicant has provided the certifications

<sup>1</sup> A copy of this Public Notice will be sent by email and by overnight delivery to the contact person listed on the FCC Form 175 for each Auction 113 applicant.

<sup>2</sup> See *Auction of Advanced Wireless Services (AWS-3) Licenses; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 113; Bidding Scheduled to Begin June 2, 2026*, AU Docket No. 25-117, Public Notice, DA 25-1075 (OEA/WTB 2025) (*Auction 113 Procedures Public Notice*).

<sup>3</sup> Two applicants, Hilliary Acquisition Corp 2016, LLC and Space Exploration Holdings, LLC, initially selected “Corporation” rather than “Limited Liability Company” as their legal classification but were permitted to amend their respective applications during the resubmission filing window to correct the misstatement. Another applicant, Nimbus Solutions, initially stated in its application that the applicant or one of its controlling interests has been in default on a Commission license or has been delinquent on a non-tax debt owed to a Federal agency but was permitted to amend its application during the resubmission filing window to affirmatively indicate that the applicant and its controlling interests have never been in default or delinquent within the meaning of the applicable rules.

and information concerning its qualifications for participation in the auction, as required by the Commission's competitive bidding rules, and that the applicant submitted a timely and sufficient upfront payment.<sup>4</sup>

4. In order to participate effectively in the auction, each qualified bidder should carefully review the auction rules, procedures, and other information described in the *Auction 113 Procedures Public Notice* and subsequent public notices. These public notices and select documents related to Auction 113 are available in the Releases section on the Auction 113 website at [www.fcc.gov/auction/113](http://www.fcc.gov/auction/113). This Public Notice provides additional guidance for qualified bidders.

5. **Non-Qualified Applicants.** Attachment B to this Public Notice lists each applicant that submitted an FCC Form 175 but did not qualify to bid in Auction 113. All applicants, including those that have been deemed not qualified to bid, remain subject to the Commission's rules prohibiting certain communications pertaining to bids and bidding strategies.<sup>5</sup>

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

### A. Registration Materials

6. All qualified bidders have been registered automatically for the auction. Registration materials will be sent by overnight delivery only to the contact person at the contact person's address identified in the qualified bidder's FCC Form 175.<sup>6</sup> Upon receipt, each qualified bidder should possess the following:

- Three RSA SecurID® tokens (RSA tokens);<sup>7</sup>
- A web address and instructions for accessing and logging in to the FCC auction bidding system;
- An FCC assigned User ID for each authorized bidder; and
- The FCC Auction Bidder Line telephone number.

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.

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<sup>4</sup> See 47 CFR §§ 1.2105, 1.2106, 1.2112; *Auction 113 Procedures Public Notice* at 26, para. 74. Under the Commission's two-phased auction application process, a winning bidder must submit a long-form application (FCC Form 601) after the close of bidding in an auction to demonstrate its qualifications to hold a Commission license and, if a bidding credit is requested, its eligibility for the requested bidding credit. Thus, a determination that a short-form application is complete and complies with the Commission's competitive bidding rules and policies is not determinative of an applicant's qualifications to hold a license or entitlement to a bidding credit. See 47 CFR §§ 1.2107-1.2109; *Implementation of Section 309(j) of the Communications Act – Competitive Bidding*, PP Docket No. 93-253, Second Report and Order, 9 FCC Rcd 2348, 2376–77, paras. 163–68 (1994). Commission staff generally consider an applicant's qualifications and eligibility for a bidding credit after the auction during the long-form application process. If an applicant is found unqualified to be a Commission licensee or ineligible for any claimed bidding credit, it will be liable for any obligations incurred as a result of its participation in the auction. See generally 47 CFR § 1.2109.

<sup>5</sup> See 47 CFR § 1.2105(c); *Auction 113 Procedures Public Notice* at 48, paras. 136–37 & n.269.

<sup>6</sup> This package will require a signature for delivery to confirm receipt by the qualified bidder. The person signing for the package does not need to be the contact person identified in the qualified bidder's FCC Form 175.

<sup>7</sup> Each qualified bidder has been issued three RSA tokens. Consequently, qualified bidders with fewer than three authorized bidders will receive extra 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(s) for a specific additional authorized bidder or for an authorized bidder whose RSA token has been lost or damaged.

7. A qualified bidder must have the above-referenced registration materials that are crucial to participating in the mock auction and to bid in Auction 113.<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 Friday, May 15, 2026**, should contact the Auctions Hotline at (717) 338-2868. Each qualified bidder is responsible for ensuring that it has received all the registration materials listed above.

8. Each qualified bidder is solely responsible for ensuring the security and functionality of its computer systems, Internet connection(s), and its registration materials, in addition to ensuring that only authorized bidders place bids on its behalf. The Commission assumes 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 Material Replacement**

9. In the event that a qualified bidder's RSA 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 175 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 Bidding System**

10. The Commission will conduct the mock auction and bidding in Auction 113 electronically over the Internet. A qualified bidder may submit bids only through an individual who has been designated on the qualified bidder's FCC Form 175 as an authorized bidder. An individual authorized bidder may access the FCC auction bidding system only if he or she has (1) an activated RSA token, and (2) provided, in the FCC Form 175, a unique email address that is an FCC Username account associated with the qualified bidder's FCC Registration Number (FRN) in the Commission Registration System (CORES).

##### **1. System Access**

11. The Commission will conduct the mock auction and bidding in Auction 113 electronically over the Internet and will provide the option of telephonic bidding using the Auction Bidder Line. Each qualified bidder will receive in its registration materials the web address for accessing the bidding system and the phone number for the Auction Bidder Line.

12. Bidders will be able to access the bidding system for the mock auction from 10:00 a.m. ET on Thursday, May 28, 2026, until 12:00 noon ET on Monday, June 1, 2026. Access to the bidding system for Auction 113 itself will open at 1:00 p.m. ET on Monday, June 1, 2026, and will remain open to bidders through the close of bidding.

13. Each authorized bidder must have his or her own activated RSA token to access the bidding system and place bids in the mock auction and Auction 113. 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 175. 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 113.

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

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<sup>8</sup> The contact person is responsible for timely 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.

- A computer with at least 8 GB of memory (16 GB or more is recommended) running one of the following operating systems:
  - Microsoft® Windows® 11, or
  - Apple® Mac OS X® 14.8.4 or later
- Web browser — a recent version of either of the following is recommended:
  - Google Chrome™, or
  - Microsoft Edge® (the browser must be configured to accept cookies and JavaScript)
- Access to the Internet
- 1920 x 1080 screen resolution<sup>9</sup>
- While not required, it is recommended that bidders use a spreadsheet program such as Microsoft® Excel® (Microsoft 365) for editing their bid files

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 above is solely responsible for any resulting failure to access the bidding system, failure to do so in a timely manner, or failure of the 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. Any bidder may use the Auction Bidder Line as an alternative method of bidding in Auction 113.<sup>10</sup> The mock auction provides an opportunity for bidders to bid using the Auction Bidder Line and to become familiar with that process and the time required.

17. Qualified bidders choosing to bid telephonically during the mock auction and Auction 113 should initiate their calls as early as possible during a round. Telephonic bid assistants must use a script, and the length of a call to place bids may vary depending on the complexity and number of bids. Calls placed late in the round might not provide enough time for bids to be entered before the round ends.

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

## **2. Authorized Bidder Access**

19. To access the bidding system, each authorized bidder in Auction 113 must have a unique email address associated with an FCC Username account that is associated with the qualified bidder’s FRN in CORES.<sup>12</sup> If a qualified bidder does not provide such an email address for an authorized bidder

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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 provided 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.

<sup>12</sup> *Auction 113 Procedures Public Notice* at 25–26, para. 71. Each authorized bidder must have its own unique FCC Username; authorized bidders cannot share FCC Usernames or FCC Username accounts. The email address associated with an FCC Username account is also the FCC Username for that account. An applicant should provide

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in the qualified bidder's FCC Form 175, that authorized bidder will not be able to log in to the bidding system and will not be able to place or submit bids. A qualified bidder may make a change to its authorized bidders during the auction; however, if it does not provide such an email address for the new authorized bidder in the qualified bidder's FCC Form 175 that is also associated with the qualified bidder's FRN in CORES, that new authorized bidder will not be able to log in to the FCC auction bidding system and will not be able to place or submit bids.<sup>13</sup> The process for changing an authorized bidder requires several steps, so qualified bidders should allow ample time for the process to be completed.

**NOTE:** Each qualified bidder is responsible for ensuring compliance with this requirement for any changes made to its authorized bidders throughout the auction.

20. Instructions for setting up an FCC Username account for an authorized bidder and associating it with the qualified bidder's FRN are available on the CORES website at [apps.fcc.gov/cores](https://apps.fcc.gov/cores). There are also tip sheets and instructions for setting up an FCC Username account and associating the FCC Username for that account with the applicant's FRN available at <https://apps.fcc.gov/cores/publicHome.do?help=true&csfrToken=>.

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

21. Prior to the start of the auction, each bidder should develop comprehensive contingency plans that can be quickly implemented 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, or power; adverse local weather conditions; unavailability of its authorized bidders; or the loss or breach of confidential security codes.

22. 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. Contingency plans will ideally include arrangements for accessing and placing bids in the bidding system from one or more alternative locations.

23. We remind bidders that their contingency plans might include, among other arrangements, calling the Auction Bidder Line. If a bidder encounters a situation in which it must implement its backup plan and call the Auction Bidder Line, it should do so as soon as possible and as early in the round as possible. Calling at the beginning of a round will help ensure that the call can be completed before the end of the round. Failure to call early in the round may affect the bidder's ability to submit some or all of its bids before the round closes. Even if a bidder does not plan to bid using the Auction Bidder Line, we encourage all bidders to do so at least once during the mock auction.

24. If for any reason a bidder fails to submit all of its bids before the round closes, it may lose some or all of its bidding eligibility.<sup>14</sup> If a bidder loses all of its bidding eligibility, it will no longer be able to bid in the auction. The Commission will not restore any portion of a bidder's lost bidding eligibility.

### **III. EDUCATIONAL MATERIALS AND IMPORTANT UPCOMING EVENTS AND DATES**

25. Below we provide information regarding the availability of educational and informational materials, and the opportunity for qualified bidders to participate in a mock auction prior to the start of bidding in Auction 113. The documents and tutorial described below will be available in the Education

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that FCC Username as the unique email address for the authorized bidder in the applicant's FCC Form 175. An applicant may designate up to three individuals to serve as an authorized bidder for the applicant.

<sup>13</sup> See *FCC Form 175 Instructions for Auction 113*.

<sup>14</sup> See *Auction 113 Procedures Public Notice* at 57–59, paras. 172–78.

section of the Auction 113 website at [www.fcc.gov/auction/113](http://www.fcc.gov/auction/113), where they will remain accessible for reference.

**A. Auction 113 Bidding System User Guide**

26. The Auction 113 Bidding System User Guide describes the features and functionality of the bidding system that will be used in Auction 113. This user guide will be accessible in the Education section of the Auction 113 website at [www.fcc.gov/auction/113](http://www.fcc.gov/auction/113). We will also email a link to access and download the user guide to each authorized bidder and to the contact person listed on each qualified bidder's FCC Form 175. Bidders are encouraged to read the user guide prior to participating in the mock auction in order to familiarize themselves with the bidding system.

**B. Bidder Data File Formats**

27. Qualified bidders in the auction will have access through the bidding system to certain detailed information related to the results of bidding. The file formats document provides, for each data file, an overall description of the file, the data fields that are included (with definitions of the data elements in each field), the data type, examples, and notes.

**C. Bidding Tutorial**

28. An online tutorial regarding bidding for Auction 113 will allow viewers to navigate the presentation outline, review written notes, and listen to an audio recording of the notes. The tutorial also includes links to auction-specific Commission releases, email links for contacting Commission auctions and licensing staff, and screen shots of the FCC auction bidding system. The online tutorial will be accessible in the Education section of the Auction 113 website at [www.fcc.gov/auction/113](http://www.fcc.gov/auction/113).

**D. Mock Auction**

29. All qualified bidders in Auction 113 will have the opportunity to participate in a mock auction. We strongly encourage each qualified bidder in Auction 113 to participate in the mock auction that will be conducted on Friday, May 29, 2026. The mock auction provides an opportunity for the bidder to practice using the bidding system, including using the proxy bidding functionality and the telephonic bid process, and to test its contingency plans.<sup>15</sup> We note that the bidding system for Auction 113 differs from the bidding system used in previous clock auctions. While the functionality is largely the same, the user interface is new.

30. Qualified bidders can access the mock auction at the web address provided to each qualified bidder in the registration materials. Telephonic bidding will be available as well.

31. For the mock auction, each qualified bidder will be assigned a randomly selected set of Economic Areas (designated as "BEAs" in the bidding system) and/or Cellular Market Areas (designated as "CMAs") and eligibility to bid on all of the licenses in its assigned markets. These will NOT represent the actual markets for which the bidder is qualified to bid, or its eligibility based on its actual upfront payment. A qualified bidder will be assigned the same number of markets as it selected on its FCC Form 175, up to a maximum of 50 markets. The mock auction will otherwise follow the rules governing Auction 113. Each qualified bidder that claimed eligibility for a bidding credit will have that bidding credit in the mock auction. If a bidder fails to submit bids in the first round, it will lose all of its bidding eligibility and will not be able to participate in subsequent rounds of the mock auction. In subsequent rounds, if a bidder fails to submit all of its bids before the round closes, it may lose some or all of its bidding eligibility. If a bidder loses all of its bidding eligibility, it will no longer be able to participate in the mock auction.

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<sup>15</sup> For additional information about proxy bidding, see *Auction 113 Procedures Public Notice* at 65–66, paras. 199–205. See also the Auction 113 Bidding System User Guide, Sections 7.3.1 and 7.4.1.

32. Each qualified bidder will be able to access its mock auction data through the mock auction section of the bidding system starting at 10:00 a.m. ET on Thursday, May 28, 2026. The mock auction bidding schedule for Friday, May 29, 2026, will be as follows:

Mock Bidding Round 1	10:00 a.m. – 11:30 a.m. ET
Mock Bidding Round 2	12:30 p.m. – 1:30 p.m. ET
Mock Bidding Round 3	2:30 p.m. – 3:30 p.m. ET
Mock Bidding Round 4	4:00 p.m. – 4:30 p.m. ET
Access to the bidding system closes	June 1, 2026, 12:00 p.m. ET

#### IV. AUCTION INFORMATION

##### A. Bidding Schedule

33. Bidding in Auction 113 will begin Tuesday, June 2, 2026, with the following schedule:

Bidding Round	10:00 a.m. – 12:00 p.m. ET
Bidding Round	2:00 p.m. – 4:00 p.m. ET

34. The bidding schedule starting on Wednesday, June 3, 2026, and continuing each business day until further notice, will be:

Bidding Round	10:00 a.m. – 11:00 a.m. ET
Bidding Round	1:00 p.m. – 2:00 p.m. ET
Bidding Round	4:00 p.m. – 5:00 p.m. ET

35. We will set the pace of the auction based upon our assessment of the auction’s progress. We will provide notice of all subsequent schedule changes by announcement in the FCC auction bidding system and the Public Reporting System (PRS) during the course of the auction.

##### B. Auction Announcements

36. We will post pertinent auction information as announcements in the bidding system. Each bidder should 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. Bid Amounts

37. A link to the Attachment A file “Adopted (12/18/2025)” containing the minimum opening bid amounts for the licenses available in Auction 113 is available in the Summary section of the Auction 113 website ([www.fcc.gov/auction/113](http://www.fcc.gov/auction/113)). Clock prices for subsequent bidding rounds will be set by adding a fixed percentage to the previous round’s posted price at an increment of between 5% and 30%, with the initial increment set at 10%.<sup>16</sup> The increment percentage may be adjusted as rounds continue.<sup>17</sup> Any such change would be announced in advance in the bidding system.

38. We caution each qualified bidder to place its bids carefully because each bidder assumes a binding obligation to pay the final posted price for its winning bids should the bidder become a winning bidder, even if the bid was made erroneously.<sup>18</sup>

<sup>16</sup> See *Auction 113 Procedures Public Notice* at 64, para. 193.

<sup>17</sup> *Id.*

<sup>18</sup> See 47 CFR § 1.2104(g); *Auction 113 Procedures Public Notice* at 73, para. 228.

#### D. Round Results

39. Round results typically will be available within 15 minutes after the close of each round. We remind bidders that the results of their bidding are subject to procedures that limit the disclosure of information on bidder interests and identities until after the close of bidding in Auction 113.<sup>19</sup>

40. Two types of information will be available to qualified bidders during the auction: (1) publicly available information and (2) bidder-specific information available only to that bidder when logged in to the bidding system. The public information will be available on the PRS at <https://auctiondata.fcc.gov>, for which there will be a link in the Results section of the Auction 113 website at [www.fcc.gov/auction/113](http://www.fcc.gov/auction/113). When a bidder is logged in to the FCC auction bidding system, it will have access to a record of the bids it placed on the Bid Summary screen and the results of its bids on the Bid Results screen. These features can be accessed using the links in the bidding system's navigation bar. This information will also be available for the bidder to download.

41. Detailed instructions for reviewing and downloading round results are provided in the Auction 113 Bidding System User Guide. This user guide is available in the Education section of the Auction 113 website at [www.fcc.gov/auction/113](http://www.fcc.gov/auction/113) and will remain accessible on the Auction 113 website for reference.

#### E. Bidder Questions During Auction 113 and the Mock Auction

42. Commission auction staff and technical support staff will be available during the mock auction and the auction. To place bids by telephone or 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 175 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.

43. Alternatively, a bidder may submit questions or suggestions concerning Auction 113 using the *Messages* feature in the bidding system.<sup>20</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 provided in the bidder registration materials. Time-sensitive technical issues should be directed to the FCC Auctions Technical Support Hotline** listed in Section VII. (Contact Information), below.

44. For more general questions about Auction 113, please refer to the contact information provided in Section VII. (Contact Information), below.

### V. APPLICANTS' CONTINUING OBLIGATIONS

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

45. We remind applicants that sections 1.65 and 1.2105(b)(4) of the Commission's rules require that they maintain the accuracy and completeness of information furnished in their applications to participate in Auction 113.<sup>21</sup> Each applicant should amend its application to furnish additional or corrected information within five business days of a significant occurrence, or no more than five business

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<sup>19</sup> See *Auction 113 Procedures Public Notice* at 46–48, paras. 130–35.

<sup>20</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 113 Bidding System User Guide.

<sup>21</sup> See 47 CFR §§ 1.65, 1.2105(b)(4).

days after the applicant becomes aware of the need for amendment.<sup>22</sup> All changes are subject to review by Commission staff.

46. An applicant that needs to make permissible minor changes to its FCC Form 175, or that must make changes in order to maintain the accuracy and completeness of its short-form application, must do so electronically using the FCC Auction Application Portal (AAP).<sup>23</sup> The applicant must also submit a letter briefly summarizing the change(s) to its FCC Form 175 by email to [auCTION113@fcc.gov](mailto:auCTION113@fcc.gov) to the attention of the Chief, Auctions Division, Office of Economics and Analytics. The letter summarizing the change(s) must include a subject or caption referring to Auction 113 and the name of the applicant, for example, “Re: Changes to Auction 113 Application of XYZ Corp.” Any attachments to the email must be formatted as Adobe® Acrobat® (PDF) or Microsoft® Word documents. An applicant must not submit application-specific material through the Commission’s Electronic Comment Filing System.

47. 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 113, applicants should refer to previous Auction 113 public notices, including the *Auction 113 Procedures Public Notice*.<sup>24</sup>

## **B. Due Diligence**

48. Each qualified bidder is solely responsible for investigating and evaluating all legal, technical, and marketplace factors and risks associated with the licenses that it is seeking in Auction 113.<sup>25</sup> The Commission makes no representations or warranties about the use of this spectrum or these licenses for particular services. Each qualified bidder should be aware that a Commission auction represents an opportunity to become a Commission licensee, subject to certain conditions and regulations. This includes the established authority of the Commission to alter the terms of existing licenses by rulemaking, which is equally applicable to licenses awarded by auction.<sup>26</sup> A Commission auction does

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<sup>22</sup> See *id.* at §§ 1.65, 1.2105(b)(4).

<sup>23</sup> As described in the Commission’s rules, after the initial filing deadline, 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 § 1.2105(b)(2). Minor amendments include any changes that are not major, such as: the deletion or addition of authorized bidders (to a maximum of three); revision of addresses and telephone numbers of the applicant, its responsible party, and its contact person; correcting typographical errors; and supplying or correcting information as requested to support the certifications made in the application. See *id.*; *Auction 113 Procedures Public Notice* at 16, para. 36. Major modifications include, among other things, a change in market selection, change in ownership that would constitute an assignment or transfer of control of the applicant, change in the required certifications, change in applicant’s legal classification that results in a change in control, or change in claimed eligibility for a higher percentage of bidding credit. See 47 CFR § 1.2105(b)(2); *Auction 113 Procedures Public Notice* at 16, para. 36; see also, e.g., *Koch Broadcasting Corp.*, Letter Order, 21 FCC Rcd 147 (WTB/MB 2006) (dismissing short-form application due to amendment reporting change of control of applicant). Applicants should also note that the AAP will not allow an applicant to make certain other permissible changes itself (e.g., correcting a misstatement of the applicant’s legal classification, change in certifier) because certain fields on the FCC Form 175 are no longer be changeable by the applicant after the initial short-form application filing deadline. See *Auction 113 Procedures Public Notice* at 45, para. 126. If an applicant needs to make a permissible minor change of this nature, then it must submit a written request by email to the Auctions Division Chief, via [auCTION113@fcc.gov](mailto:auCTION113@fcc.gov), requesting that the Commission manually make the change on the applicant’s behalf. *Id.* Once Commission staff has informed the applicant that the change has been made in the AAP, the applicant must then re-certify and re-submit its FCC Form 175 in the AAP to confirm and effect the change(s). *Id.*

<sup>24</sup> See *Auction 113 Procedures Public Notice* at 45–46, paras. 123–128; see also 47 CFR §§ 1.65, 1.2105(b)(4). Questions about FCC Form 175 amendments should be directed to the Auctions Division at (202) 418-0660 or by email to [auCTION113@fcc.gov](mailto:auCTION113@fcc.gov).

<sup>25</sup> *Auction 113 Procedures Public Notice* at 12, para. 21.

not constitute an endorsement by the Commission of any particular service, technology, or product, nor does a Commission license constitute a guarantee of business success. Accordingly, each qualified bidder is encouraged to review the Commission's previous guidance concerning bidders' due diligence efforts prior to and during the auction.<sup>27</sup>

49. A qualified bidder should perform its due diligence research and analysis before proceeding, as it would with any new business venture. In particular, the Commission continues to encourage each qualified bidder to perform technical analyses and/or refresh its previous analyses to assure itself that, should it become a winning bidder for any Auction 113 license, it will be able to build and operate facilities that will fully comply with all applicable technical and legal requirements.<sup>28</sup> Each qualified bidder should inspect any prospective sites for communications facilities located in, or near, the geographic area for which it plans to bid, confirm the availability of such sites, and familiarize itself with the Commission's rules regarding any applicable federal, state, and local requirements.<sup>29</sup>

50. Qualified bidders should pay particular attention to the requirements presented by the temporary and indefinite sharing of portions of the AWS-3 bands by incumbent Federal users and AWS-3 licensees, which may vary by geography and frequency.<sup>30</sup> As discussed in the *Auction 113 Procedures Public Notice*, the *FCC/NTIA Coordination Procedures Public Notice* contains additional information regarding the extent of sharing in the AWS-3 bands, refinements to the protection zones adopted in the *2014 AWS-3 Report and Order*, and information and guidance on the overall coordination process between commercial and Federal users.<sup>31</sup> We expect that the information in both the *FCC/NTIA Coordination Procedures Public Notice* and federal agencies' approved transition plans will be material to an applicant's potential participation in Auction 113. Therefore, we strongly encourage each applicant to closely review these materials, as well as future releases from the Commission and NTIA concerning these issues, and to carefully consider the technical and economic implications for commercial use of the AWS-3 bands.<sup>32</sup>

51. The Commission has also encouraged each participant in Auction 113 to continue to conduct its own research throughout the auction in order to determine the existence of pending or future administrative or judicial proceedings that might affect its decision on continued participation in the auction.<sup>33</sup> Each qualified bidder is responsible for assessing the likelihood of the various possible outcomes and for considering the potential impact on licenses available in an auction. The due diligence considerations mentioned in this Public Notice and previous Auction 113 public notices do not constitute an exhaustive list of steps that should be undertaken prior to participating in Auction 113. As always, the burden is on the qualified bidder to determine how much research to undertake, depending upon the specific facts and circumstances related to its interests.

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<sup>26</sup> See, e.g., *Cellco P'ship v. FCC*, 700 F.3d 534, 542 (D.C. Cir. 2012); *Celtronix Telemetry, Inc. v. FCC*, 272 F.3d 585, 589 (D.C. Cir. 2001) (citing 47 U.S.C. § 309(j)(6)(D)).

<sup>27</sup> *Auction 113 Procedures Public Notice* at 12–13, paras. 21–25.

<sup>28</sup> *Id.* at 12, para. 22.

<sup>29</sup> See *id.* at 12, 13, paras. 22, 24; see also 47 CFR Part 1, Subpart I; *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79, Second Report and Order, 33 FCC Rcd 3102 (2018) (amending the Commission's rules concerning the types of deployments that are subject to review pursuant to the National Historic Preservation Act and the National Environmental Policy Act).

<sup>30</sup> See *Auction 113 Procedures Public Notice* at 8–9, 12–13, paras. 12–13, 23.

<sup>31</sup> *Id.* at 9, para 13.

<sup>32</sup> *Id.* at 12–13, para. 23.

<sup>33</sup> *Id.*

52. Qualified bidders are solely responsible for identifying associated risks and for investigating and evaluating the degree to which such matters may affect their ability to bid on, otherwise acquire, or make use of the licenses available in Auction 113.<sup>34</sup> Each qualified bidder is responsible for undertaking research to ensure that any licenses won in the auction will be suitable for its business plans and needs. Each qualified bidder must undertake its own assessment of the relevance and importance of information gathered as part of its due diligence efforts.

53. The Commission makes no representations or guarantees regarding the accuracy or completeness of information in its databases or any third-party databases, including, for example, court docketing systems.<sup>35</sup> To the extent the Commission's databases may not include all information deemed necessary or desirable by a qualified bidder, it must obtain or verify such information from independent sources or assume the risk of any incompleteness or inaccuracy in said databases.

### C. Prohibition of Certain Communications

54. All applicants are encouraged to review the Commission's rules prohibiting certain communications set forth in section 1.2105(c) which apply to each applicant that filed a short-form application in Auction 113, as well as its previous guidance concerning that prohibition.<sup>36</sup> Section 1.2105(c)(1) 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 or any nationwide provider [of communications services] that is not an applicant, or, if the applicant is a nationwide provider, any non-nationwide provider that is not an applicant, in any manner the substance of their own, or each other's, or any other applicants' bids or bidding strategies (including post-auction market structure), or discussing or negotiating settlement agreements, until after the down payment deadline[.]"<sup>37</sup> An "applicant" for purposes of this rule includes all "controlling interests" in the entity submitting the short-form application, as well as all holders of interests amounting to 10% or more of the entity, and all officers and directors of that entity.<sup>38</sup> AT&T, T-Mobile, and Verizon are considered to be "nationwide providers" for purposes of this rule in Auction 113.<sup>39</sup>

55. This prohibition took effect as of the short-form application filing deadline, which for Auction 113 was Wednesday, February 11, 2026, at 6:00 p.m. ET, and ends at the post-auction down payment deadline for Auction 113, which will be announced in a future public notice.<sup>40</sup> **This prohibition applies to all applicants regardless of whether such applicants have become qualified bidders or actually bid in Auction 113.**<sup>41</sup> For further information on the prohibition, applicants should refer to Section IV.B of the *Auction 113 Procedures Public Notice*.<sup>42</sup>

56. 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. Consequently, an applicant must take care to determine whether its auction-related communications may

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<sup>34</sup> *Id.* at 13, para. 24.

<sup>35</sup> Furthermore, the Commission makes no representations or guarantees regarding the accuracy or completeness of information that has been provided by incumbent licensees and incorporated into its databases. *Id.* at 13, para. 25.

<sup>36</sup> 47 CFR § 1.2105(c); *see also Auction 113 Procedures Public Notice* at 48-55, paras. 136-59.

<sup>37</sup> 47 CFR § 1.2105(c)(1).

<sup>38</sup> *Id.* § 1.2105(c)(5)(i); *see also Auction 113 Procedures Public Notice* at 48, para. 137.

<sup>39</sup> *Auction 113 Procedures Public Notice* at 29-30, 49, paras. 87-88, 139.

<sup>40</sup> *Id.* at 48-49, para. 138; *see also* 47 CFR § 1.2105(c)(1).

<sup>41</sup> *Auction 113 Procedures Public Notice* at 48, para. 137 & n.269.

<sup>42</sup> *See id.* at 48-55, paras. 136-59.

reach another applicant and must take care not to communicate non-public information to the public, financial analysts, or the press.<sup>43</sup> Examples of communications raising concern, given the limited information procedures in effect for Auction 113, would include an applicant's statement to the press or other public statement (such as a post on social media) about its upfront payment or bidding eligibility, and an applicant's statement to the press or other public statement that it is or is not interested in bidding in the auction.

57. *Disclosure Obligations.* Section 1.2105(c)(4) requires each auction applicant that makes or receives a communication that appears to violate section 1.2105(c) to report the communication in writing to the Commission immediately, but in no case later than five business days after the communication occurs, even if the communication does not result in an agreement or understanding regarding bids or bidding strategy that must be reported under sections 1.65 and 1.2105(b)(4).<sup>44</sup> Each applicant's obligation to report any such communication continues beyond the five-day period after the communication is made, even if the report is not made within the five-day period.<sup>45</sup>

58. *Reporting Prohibited Communication.* Any party reporting any communication pursuant to sections 1.65, 1.2105(b)(4), or 1.2105(c)(4) must take care to ensure that the report does not itself give rise to a violation of section 1.2105(c). To minimize the risk of inadvertent dissemination of a report of a potential prohibited communication, section 1.2105(c)(4) requires a party to file only a single report with the Chief of the Auctions Division in OEA.<sup>46</sup> For Auction 113, any such report must be filed according to the instructions set forth in the *Auction 113 Procedures Public Notice*.<sup>47</sup>

59. *Possible Sanctions.* Any applicant found to have violated section 1.2105(c) of the Commission's rules may be subject to sanctions.<sup>48</sup> In addition, we remind each applicant that it is subject to the antitrust laws, which are designed to prevent anti-competitive behavior in the marketplace. 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 of its upfront payment, down payment, or full bid amount, and it may be prohibited from participating in future auctions, among other sanctions.<sup>49</sup>

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

60. We remind applicants that, under the limited information procedures in effect for Auction 113 (sometimes also referred to as anonymous bidding), the Commission is withholding from public release, until after the close of bidding in Auction 113, any information that may indicate specific

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<sup>43</sup> The Commission has long expressed the concern that applicants should use caution in their dealings with other parties, such as members of the press, financial analysts, or others who might become a conduit for the communication of non-public information relating to auctions, such as bids and bidding strategies. See *Wireless Telecommunications Bureau Responds to Questions About the Local Multipoint Distribution Service Auction*, Public Notice, 13 FCC Rcd 341, 347-48 (WTB 1998) ("Public statements can give rise to collusion concerns. This has occurred in the antitrust context, where certain public statements can support other evidence which tends to indicate the existence of a conspiracy.").

<sup>44</sup> 47 CFR §§ 1.65, 1.2105(b)(4); see also *Amendment of Part 1 of the Commission's Rules – Competitive Bidding Procedures*, WT Docket No. 97-82, Seventh Report and Order, 16 FCC Rcd 17546, 17553-55, paras. 13-17 (2001).

<sup>45</sup> 47 CFR § 1.2105(b)(4); see also *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150 *et al.*, Second Report and Order, 22 FCC Rcd 15289, 15395, paras. 285-86 (2007).

<sup>46</sup> 47 CFR § 1.2105(c)(4); see also *Procedural Amendments to Commission Part 1 Competitive Bidding Rules*, WT Docket No. 10-18, Order, 25 FCC Rcd 521, 522, para. 4 (2010).

<sup>47</sup> See *Auction 113 Procedures Public Notice* at 53-54, paras. 154-56.

<sup>48</sup> See 47 CFR §§ 1.2105(c), 1.2109(d).

<sup>49</sup> See *id.* § 1.2109(d).

applicants' interests in the auction—including, among other things, market selections, upfront payments and eligibility information, and the identities of bidders placing bids or taking other bidding-related actions.<sup>50</sup> Accordingly, communication with other applicants or public disclosure of such non-public information may violate the Commission's rule prohibiting certain communications, section 1.2105(c) of the Commission's rules.

#### **E. Submission of Auction-Related Filings**

61. A party wishing to submit a request, a complaint, or other information concerning Auction 113 should, in addition to following other procedures prescribed by the Commission's rules, send a copy by email to [auction113@fcc.gov](mailto:auction113@fcc.gov) to the attention of the Chief, Auctions Division, Office of Economics and Analytics. 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.

#### **F. Ex Parte Rule**

62. Applicants should also be aware that the Commission has generally treated mutually exclusive short-form applications as exempt proceedings and, therefore, not subject to the *ex parte* prohibitions that pertain to restricted proceedings.<sup>51</sup>

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

63. To ensure prompt receipt of time-sensitive Commission communications, we urge each applicant to verify now the accuracy and completeness of the information for its contact in its FCC Form 175. Corrections to contact information in an FCC Form 175 should be made promptly in preparation for post-auction procedures.

64. Shortly after bidding has ended, we will release a public notice declaring the auction closed and establishing the deadlines for submitting down payments and final payments. Each winning bidder will have 10 business days following the release of that public notice to make down payments. Final payments will be due 10 business days after the deadline for submitting down payments for this auction.

65. Additional information regarding these post-auction procedures is contained in the *Auction 113 Procedures Public Notice* and will be provided in the public notice announcing the winning bidders.<sup>52</sup>

### **VII. CONTACT INFORMATION**

66. Additional information for applicants is available at the Auction 113 website ([www.fcc.gov/auction/113](http://www.fcc.gov/auction/113)). If, after reviewing the information available on the Auction 113 website, you have questions, you may contact:

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<sup>50</sup> *Auction 113 Procedures Public Notice* at 46–48, paras. 130–35.

<sup>51</sup> See *Commission Announces that Mutually Exclusive “Short Form” Applications (Form 175) to Participate in Competitive Bidding Process (“Auctions”) Are Treated as Exempt for Ex Parte Purposes*, Public Notice, 9 FCC Rcd 6760 (1994); 47 CFR § 1.1202(d)(1) Note 1.

<sup>52</sup> See *Auction 113 Procedures Public Notice* at 73–77, paras. 229–46; 47 CFR §§ 1.2107, 1.2109(a).

**General Auction Information**

General Auction Questions

**FCC Auctions Hotline**(888) 225-5322, option two; or  
(717) 338-2868**Auction 113 Process and Procedures**Bidding Procedures  
Auction Schedule**Auctions Division, OEA**

Auctions Hotline (717) 338-2868

**Auction 113 Legal Information**Auction Rules, Policies, Regulations, Including  
Reports Pursuant to Section 1.2105(c) Violations  
and Application Modifications**Auctions Division, OEA**(202) 418-0660  
Valerie Barrish (Attorney)  
Yasiman Montgomery (Attorney)**Licensing Information**Service Rules, Policies, Regulations  
Licensing Issues, Engineering Issues  
Due Diligence, Incumbency Issues**Broadband Division, WTB**Madelaine Maior (Attorney) (202) 418-1466  
Jeffrey Tignor (Attorney) (202) 418-0774**Technical Support**Hardware/Software Issues with Electronic Filing  
or FCC Auction System**FCC Auctions Technical Support Hotline**(877) 480-3201, option nine; or (202) 418-1250  
ASL Video Call: (844) 432-2275  
Hours of service: 8:00 a.m. – 6:00 p.m. ET,  
Monday through Friday

For FCC Username and Password Questions

(877) 480-3201, option 1  
Hours of service: 8:00 a.m. – 6:00 p.m. ET,  
Monday through Friday**Payment Information**Instructions for Wiring Auction Payments and  
Completing Form 159  
Refunds**FCC Revenue & Receivables Operations****Group/Auctions**Scott Radcliffe at (202) 418-7518 or  
Theresa Meeks at (202) 418-2945  
(202) 418-2843 (fax) or email to  
[RROGWireFaxes@fcc.gov](mailto:RROGWireFaxes@fcc.gov)**Accessible Formats**Braille, large print, electronic files, or  
audio format for people with disabilities**Consumer and Governmental Affairs Bureau**(202) 418-0530 or (844) 432-2275 (ASL Video  
Call)  
[fcc504@fcc.gov](mailto:fcc504@fcc.gov)**Press Information****Office of Media Relations**Will Wiquist  
(202) 418-0500

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