



Federal Communications Commission
Washington, D.C. 20554

August 4, 2026

DA 26-817

Via Certified Mail, Return Receipt Requested

Joseph A. Sofio
1412 Broadway
22nd Floor
New York, NY 10018

Re: Final Bid Withdrawal Payment for Auction 97

Dear Mr. Sofio:

By this letter, we notify you of the availability of a refund in connection with your interim bid withdrawal payment in the initial auction by the Federal Communications Commission (Commission) of licenses for AWS-3 spectrum in the 1695-1710 MHz, 1755-1780 MHz and 2155-2180 MHz bands (Auction 97) and provide instructions for requesting that refund.

In Auction 97, you withdrew provisionally winning bids on two licenses during Auction 97, and those two licenses had no provisionally winning bids at the close of the bidding in Auction 97.¹ Specifically, you withdrew provisionally winning bids in Auction 97 in the gross amount of \$2,585,000 for a license for the B1 Block in EA 49 (Cincinnati – Hamilton) and the gross amount of \$41,000 for a license for the G Block in CMA 439 (Kansas 12- Hodgeman).² In your short-form application to participate in Auction 97, you requested, and ultimately qualified for, a 25% bidding credit as a very small business.³ Taking into account your bidding credit, the net amount of the provisionally winning bids that you withdrew were \$1,923,750 and \$30,750.

In accordance with the Commission's rules, interim bid withdrawal payments for those withdrawn bids were determined at the close of Auction 97. Under the rule in effect at the time of Auction 97, if a high bid is withdrawn on a license that remains unsold at the close of the auction, the withdrawing bidder is required to make an interim payment equal to ten percent (10%) of the net amount of the withdrawn bid.⁴ The aggregate amount of your interim bid withdrawal payments for the two

¹ *Auction of Advanced Wireless Services (AWS-3) Licenses Closes; Winning Bidders Announced for Auction 97*, Public Notice, 30 FCC Rcd 630, 738-40, Attach. C (WTB 2015) (*Auction 97 Winning Bidders Public Notice*).

² *Id.*

³ *See Auction of Advanced Wireless Services (AWS-3) Licenses; 70 Bidders Qualified to Participate in Auction 97*, Public Notice, 29 FCC Rcd 13465, 13479, Attach. A (WTB 2014) (listing Joseph A. Sofio as a qualified bidder claiming a very small business bidding credit).

⁴ *See Auction of Advanced Wireless Services (AWS-3) Licenses Scheduled for November 13, 2014; Notice and Filing Requirements, Reserve Prices, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 97*, Public Notice, 29 FCC Rcd 8386, 8447, para. 222 (WTB 2014).

withdrawn bids in Auction 97 therefore was \$195,450. A portion of your upfront payment for Auction 97 fully satisfied this amount.⁵

Under the Commission's rules, a bidder that withdraws a provisionally winning bid during the course of an auction is subject to a bid withdrawal payment equal to the difference between the bidder's withdrawn bid and the subsequent winning bid.⁶ When a bidding credit applies to any of the relevant bids, the Commission uses either the difference between the net withdrawn bid and the subsequent net winning bid or the gross withdrawn bid and the subsequent gross winning bid, whichever is less.⁷

In accordance with section 1.2104(g)(1) of the Commission's rules,⁸ we have calculated your final bid withdrawal payment amount for the two provisionally winning bids that you withdrew in Auction 97. In the Commission's recently completed Auction 113, subsequent winning bids were placed on licenses for the same spectrum and in the same areas as the licenses with respect to which you withdrew provisionally winning bids in Auction 97. Specifically, Space Exploration Holdings, LLC placed a winning bid of \$8,406,000 for a license covering the B1 Block in EA 49 and T-Mobile License LLC placed a winning bid of \$467,000 for a license for the G Block in CMA 439.⁹ Neither Space Exploration Holdings, LLC nor T-Mobile License LLC received a bidding credit in Auction 113 and, accordingly, the gross and net amounts of the winning bids were the same. The gross amounts and net amounts of both these subsequent winning bids exceeded the gross and net amounts of your previously withdrawn provisionally winning bids in Auction 97.

As shown in Attachment A, we have determined that your final bid withdrawal payment obligation for these two bids is \$0.00 and, therefore, the \$195,450 interim bid withdrawal payment deducted from your upfront payment for Auction 97 is now available for refund. Refund instructions can be found in Attachment B.

Ordering Clauses

Accordingly, IT IS ORDERED that, pursuant to sections 4(i) and 309 of the Communications Act of 1934 as amended, 47 U.S.C. §§ 154(i), 309, and section 1.2104(g)(1) of the Commission's rules, 47 CFR § 1.2104(g)(1), Joseph A. Sofio is ASSESSED a final bid withdrawal payment as computed in Attachment A.

IT IS FURTHER ORDERED that, pursuant to sections 1.2104 and 1.2106 of the Commission's rules, 47 CFR §§ 1.2104 and 1.2106, the bid withdrawal payment refund amount as computed in Attachment A is available for refund to Joseph A. Sofio upon appropriate request in accordance with the instructions in Attachment B.

⁵ *Auction 97 Winning Bidders Public Notice*, 30 FCC Rcd at 735, Attach. B.

⁶ 47 CFR § 1.2104(g)(1).

⁷ *Id.*

⁸ *Id.*

⁹ *Auction of Advanced Wireless Services (AWS-3) Licenses Closes, Winning Bidders Announced for Auction 113*, Public Notice, DA 26-633 (OEA/WTB Jun. 26, 2026), at 2-3, para. 6 (instructions for viewing auction results by license).

IT IS FURTHER ORDERED that this Order shall be sent to Joseph A. Sofio by certified mail, return receipt requested. This action is taken pursuant to authority delegated by sections 0.21(m) and 0.271 of the Commission's rules, 47 CFR §§ 0.21(m), 0.271.

Sincerely,

Gary D. Michaels
Senior Deputy Chief and Chief Counsel
Auctions Division
Office of Economics and Analytics

Attachments

ATTACHMENT A

Final Bid Withdrawal Payment Report

License Number Frequency Block	Withdrawn Gross Bid Auction 97	Withdrawn Net Bid Auction 97	Winning Gross Bid Auction 113	Winning Net Bid Auction 113	Interim Withdrawal Payment	Final Withdrawal Payment
AW- BEA049-B1	\$2,590,000	\$1,923,750	\$8,406,000	\$8,406,000	\$192,375	\$0
AW- CMA439-G	\$41,000	\$30,750	\$467,000	\$467,000	\$3,075	\$0

Interim Bid Withdrawal Payment	\$195,450.00
Final Bid Withdrawal Payment	\$0.00
Bid Withdrawal Payment Refund	\$195,450.00

ATTACHMENT B

Refund Instructions

Monies paid to the Commission in excess of Joseph A. Sofio's final bid withdrawal payment obligation may be refunded to the payer of record as identified on the FCC Form 159 submitted with the upfront payment for Auction 97, unless that payer submits written authorization providing the information listed in the paragraph below for an alternative payee.

To receive a refund, Joseph A. Sofio must submit a written refund request with the information listed below:

1. Name, address, contact and phone number of Bank
2. Routing Number (**capable of accepting ACH payments**)
3. Account Number to Credit
4. Name of Account Holder
5. FCC Registration Number (FRN)

The refund request must be signed and submitted by fax to the Revenue & Receivables Operations Group/Auctions at (202) 418-2843, or by email to RROGWireFaxes@fcc.gov.

An applicant seeking a refund should verify that the taxpayer identification number (TIN) associated with its FCC Registration Number (FRN) is correct by visiting the FRN website at <https://apps.fcc.gov/cores> to update its records before submitting a refund request. A refund request related to an FRN with no TIN on file cannot be processed until a TIN is provided in CORES.

Refund processing generally takes up to two weeks to complete. Any questions concerning refunds should be directed to the Scott Radcliffe at (202) 418-7518, Scott.Radcliffe@fcc.gov, or Theresa Meeks at (202) 418-2945, Theresa.Meeks@fcc.gov. Auctions Accounting Branch staff may also be reached through the FCC Auctions Hotline at (717) 338-2868.