

Band, scheduled to begin November 13, 1995. The Public Notice included, as an Appendix, an upfront payment schedule. On September 12, 1995, the FCC's Wireless Telecommunications Bureau issued another Public Notice with a revised upfront payment schedule, which differed slightly from September 5, 1995 Appendix and supersedes the schedule previously published. Both the September 5, 1995 and the September 12, 1995 Public Notices should be read together. These Public Notices are directed toward the Commission's goal of efficiently distributing the unused MDS spectrum through competitive bidding, and are designed to assist prospective bidders in preparing for the upcoming MDS auction.

FOR FURTHER INFORMATION CONTACT: The FCC auction contractor, Tradewinds International, Inc., at (202) 637-FCC1 (637-3221).

The complete text of the Public Notice dated September 5, 1995 follows. Copies of this item is available for public inspection in Room 207, 2033 M Street, NW., Washington, DC and may also be obtained from the FCC copy contractor, ITS, Inc. at (202) 418-0620, and the FCC auction contractor, Tradewinds International, Inc. at (202) 637-FCC1 (637-3221).

Report No. AUC-95-06, Auction No. 6, September 5, 1995

I. Introduction

On Monday, November 13, 1995, the Federal Communications Commission (FCC or Commission) will commence a simultaneous multiple round auction for 493 authorizations to provide single channel Multipoint Distribution Service (MDS) and Multichannel Multipoint Distribution Service (MMDS), collectively referred to as MDS. The frequencies allocated to MDS are as follows: 2150-2156 MHz (designated as Channel 1); 2156-2162 MHz (designated as Channel 2) or 2156-2160 (designated as Channel 2A); 2596-2602 MHz, 2608-2614 MHz, 2620-2626 MHz, and 2632-2638 MHz (designated as Channels E1, E2, E2, and E4, respectively); 2602-2608 MHz, 2614-2620 MHz, 2626-2632 MHz, and 2638-2644 MHz (designated as Channels F1, F2, F3 and F4, respectively); 2650-2656 MHz, 2662-2668 MHz, and 2674-2680 MHz (designated as Channels H1, H2 and H3, respectively). In 1992, the frequency spectrum of 2160-2162 MHz was reallocated to emerging technologies, and thus, any subsequent MDS use of these 2 MHz will be secondary. The authorizations to be auctioned will authorize the construction of facilities to

provide service on the usable MDS channels within the 493 Basic Trading Area (BTAs) and BTA-like areas in the United States. A channel is usable if the proposed station design is in compliance with the Commission's interference standards. The channels allocated to MDS, when supplemented with leased channels from the Instructional Television Fixed Service (ITFS), are generally used to provide multichannel video programming service (popularly referred to as "wireless cable") to subscribers.

In each of the 493 BTAs, one authorization will be offered for bid. Bidders should note that MDS is a service heavily encumbered with previously authorized and proposed MDS and ITFS facilities. Most of the thirteen MDS channels have already been authorized in the largest metropolitan areas, especially in the eastern half of the United States. Given the limited amount of usable MDS spectrum remaining and the presence of incumbents in most BTAs, each prospective bidder should carefully evaluate the BTAs in which it is interested prior to the commencement of bidding. The attached Appendix lists the market number, authorization number and population of each BTA, as well as the upfront payment amount associated with each BTA and reduced upfront payment amount for eligible small businesses.

The precise schedule for bidding in the first week of the auction will be announced approximately two weeks prior to the start of the auction. Unless otherwise announced, bidding will be conducted on each business day until bidding has stopped on all BTA service areas. Bidding in this auction will only be permitted from remote locations, either electronically (by computer) or telephonically.

Those wishing to participate in the auction must submit a "short-form" application on FCC Form 175-M in accordance with the Commission's rules and instructions in this Public Notice and in the Bidder Information Package. Applicants should be aware that the FCC Form 175-M is a revised form specifically for this MDS auction and will be the only form accepted for filing. The FCC Form 175-M must be received no later than 5:30 p.m. Eastern Daylight Time on Tuesday, October 10, 1995, and must be received either electronically or manually pursuant to the instructions set forth in the Bidder Information Package. Applicants for the MDS auction are encouraged to file their FCC Form 175-M electronically. Applicants should also be aware that only those applicants who file applications

electronically will be permitted the option to bid electronically. Applicants who file their applications manually will only be permitted to bid telephonically. Limited instructions regarding electronic filing are contained in this Public Notice. More detailed instructions on electronic filing will be contained in the Bidder Information Package. Applicants whose FCC Forms 175-M have been accepted will be required to submit an upfront payment (in U.S. dollars) to be eligible to participate in the auction. As detailed in Section II.B. of this Public Notice, the upfront payment must be made by wire transfer or cashier's check payable to the "Federal Communications Commission" or "FCC" and must be received on or before Monday, October 30, 1995, at the Mellon Bank in Pittsburgh, Pennsylvania. No other form of payment will be accepted.

A. Bidder Information Package

Prospective bidders who have already contacted the FCC Auction Hotline expressing an interest in MDS will receive the Bidder Information Package for the MDS auction approximately ten to fifteen business days from the issuance of this Public Notice. Other prospective applicants may obtain the Bidder Information Package for the MDS auction by contacting Tradewinds International, Inc., at (202) 637-FCC1 (637-3221).

The FCC recently issued a Report and Order (WT Docket No. 95-69, 60 Fed. Reg. 38,276 (July 26, 1995)) establishing fair and reasonable fees for Bidder Information Packages. Although all prospective applicants who request a Bidder Information Package will receive their first copy of this package for free, additional copies will be provided at a cost of \$16.00 per package (including postage). Payment for additional Bidder Information Packages may be made by Visa/Master Card or check payable to the "Federal Communications Commission" or "FCC" and mailed to Tradewinds International, Inc.

The Bidder Information Package will contain the following information:

1. A list of BTA authorizations to be offered simultaneously;
2. Detailed procedures, terms and conditions of the auction;
3. Detailed instructions regarding the completion and filing of the FCC Form 175-M, including instructions on electronic filing and remote access of FCC Form 175-M applications filed with the Commission;
4. Electronic and telephone bidding procedures;
5. All applications/forms needed to participate in the FCC Auction;