The Bidder Information Package will include the following information:

- 1. A list of MTA licenses 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, including instructions on electronic filing and remote access of FCC Form 175 applications filed with the Commission:
- 4. Electronic and telephonic bidding procedures;
- 5. All applications/forms needed to participate in the FCC Auction:
- (a) A short-form application to participate in the auction (FCC Form 175) for bidders who intend to file manually. Additionally, a supplemental form (FCC Form 175–S) will be included for those who wish to apply for more frequency blocks than the FCC Form 175 allows;
- (b) An FCC Remittance Advice Form (FCC Form 159) to be submitted by each bidder with its upfront payment, and by each bidder with its down payment, final payment and installment payments, if applicable (as described below), including instructions on filling out the form and samples of completed FCC Form 159s;
- (c) A registration form to participate in the FCC's Auction Seminar to be held at the FCC's auction facility in Washington, D.C. on Thursday, November 9, 1995. This program is only for FCC Form 175 applicants;
- (d) An order form for the purchase of remote electronic bidding software;
- 6. Wire transfer instructions;7. A partial bibliography of auctionspecific FCC rules and regulations;
- 8. The Second Order on Reconsideration and Seventh Report and Order in PR Docket No. 89–553, PP Docket No. 93–253 and GN Docket No. 93–252, FCC 95–395 (released September 14, 1995) ("Seventh Report and Order"), which adopted the 900 MHz SMR application process and competitive bidding procedures. This Seventh Report and Order contains the amended Part 90 service and competitive bidding rules pertaining to 900 MHz SMR:
 - 9. Other general auction information.

B. Relevant Authority

Prospective bidders must familiarize themselves thoroughly with the procedures, terms and conditions (collectively, "Terms") contained in the First Report and Order and Further Notice of Proposed Rule Making in PR Docket No. 89–533, 8 FCC Rcd 1469 (1993), 58 Fed. Reg. 12,176 (Mar. 3, 1993) ("First Report & Order") the Third

Report and Order in GN Docket No. 93-252, 9 FCC Rcd 7988 (1994), 59 FR. 59,945 (Nov. 21, 1994) ("CMRS Third Report & Order"); the Second Report and Order and Second Further Notice of Proposed Rule Making in PR Docket No. 89–553, GN Docket No. 93–252, PP Docket No. 93–253, FCC 95–159, released April 17, 1995, 60 FR 21,987 (May 4, 1995); and the Second Order on Reconsideration and Seventh Report and Order in PR Docket No. 89-553, PP Docket No. 93-253 and GN Docket No. 93-252, FCC 95-395 (released September 14, 1995) ("Seventh Report and Order"). The rules contained in the Relevant Orders, this Public Notice, and the Terms in the Bidder Information Package are not negotiable. Prospective bidders should review these auction documents thoroughly prior to the auction to make certain that they understand all of the provisions and are willing to be bound by all of the Terms before participating in the auction.

The information contained in this Public Notice and in the Bidder Information Package may be amended or supplemented by the Commission or the Wireless Telecommunications Bureau at any time. The Wireless Telecommunications Bureau will issue Public Notices to convey the new or supplemental information to prospective bidders. It is the responsibility of all prospective bidders to remain current with all FCC rules and with all Public Notices pertaining to this auction. Copies of FCC documents, including Public Notices, may be obtained for a fee by calling International Transcription Service, Inc. at (202) 857-3800. Additionally, prospective bidders may retrieve some of these documents from the FCC Internet node via anonymous FTP @ fcc.gov.

II. Bidder Eligibility

In order to be eligible to bid in the 900 MHz SMR auction, bidders must (i) satisfy the Commission's eligibility requirements: (ii) submit a short-form application on revised FCC Form 175 (and FCC Form 175–S if necessary); and (iii) remit an upfront payment in compliance with applicable FCC rules and regulations. Both incumbents and new entrants may bid for all MTA licenses subject only to the 45 MHz aggregate spectrum cap on Commercial Mobile Radio Services ("CMRS") uses within the broadband PCS, cellular, and SMR services. See 47 C.F.R. 20.6. All prospective applicants should carefully review each of the rules contained in Subparts A, H, S and U of Part 90 of the Commission's rules, as amended by the Seventh Report and Order.

Bidders that qualify as small businesses are eligible for reduced down payments, bidding credits (a discount on the winning bid price), and two possible installment payment plans (which allow eligible bidders to pay the net amount of their winning bids in quarterly installments and depend upon financial status). There are two categories of small businesses: (1) Entities that, together with affiliates, have average gross revenues that are not more than \$3 million for the preceding three years; and (2) entities that, together with affiliates, have average gross revenues that are not more than \$15 million for the preceding three years. See 47 C.F.R. 90.810, 90.811, 90.812 and 90.814 for eligibility criteria and other terms pertaining to reduced down payments, bidding credits and installment payments. These special measures available to small businesses in the 900 MHz SMR auction are also discussed in the Bidder Information Package.

Winning bidders claiming eligibility as small businesses should note that they will be required to compute their aggregate gross revenues over the relevant time period to establish that they qualify as small businesses. See 47 C.F.R. 90.815. Winning bidders claiming eligibility as small businesses may be subject to audits by the Commission to confirm bidder eligibility. See 47 C.F.R. 90.815(d).

Bidders that qualify as rural telephone companies ("rural telcos") will be permitted to acquire partitioned MTA licenses by either: (1) Forming bidding consortia and then partitioning the license among consortia participants; or (2) acquiring a partitioned license through private negotiations or agreements. A rural telco is defined as a local exchange carrier having 100,000 or fewer access lines, including all affiliates. Partitioned areas must conform to established geopolitical boundaries, such as county lines, and each area must include all portions of the wireline service area of the rural telco applicant that lies within the MTA service area. The partitioned area must be reasonably related to the rural telco's wireline service area that lies within the MTA service area. We will presume as "reasonably related" a partitioned area that contains no more than twice the population of that portion of a rural telco's wireline service area that lies within the MTA service area. See Seventh Report and Order at ¶¶ 178-179.