A. Short-Form Application (FCC Form 175)

In order to be eligible to bid, applicants must submit a revised FCC Form 175 application to the Commission. This application must be received by the FCC no later than 5:30 p.m. Eastern Time on Thursday, October 26, 1995. Late applications will not be accepted. Applications may be submitted electronically, by hand delivery, by certified U.S. mail (return receipt requested) or by private courier. Applicants should consult the detailed application procedures provided in the Bidder Information Package before submitting their FCC Form 175.

1. Completion of FCC Form 175

Because of the significance of the FCC Form 175 application to the auction, it is important to take note of the following requirements. Applicants will be required to complete all the items on the FCC Form 175. The previous version of the FCC Form 175 is no longer valid. A new FCC Form 175 (revised 9/95) will be included in the Bidder Information Package. Furthermore, the FCC Form 175-M which was used in the MDS auction will not be accepted for the 900 MHz SMR auction. Applicants should carefully review §§ 1.2105(a)(2), 90.806, and 90.815 of the Commission's Rules prior to completing FCC Form 175. In completing an FCC Form 175, applicants should note the following:

a. Applicants should apply for all MTA licenses for which they seek bidding eligibility. Bids will not be accepted for licenses for which an applicant has not applied on its FCC Form 175.

b. For "Auction Number" applicants filing manually should enter "7".

c. Applicants will be required to create a ten-digit FCC Account Number, which the Commission will use to identify and track applications. Applicants must create this FCC Account Number by using their taxpayer identification number (TIN) with a prefix of "0" (e.g., 0123456789). If, and only if, an applicant does not have a taxpayer identification number, the applicant may use its ten-digit area code and telephone number (e.g., 5552345678). Each applicant must use this same number when submitting additional information or material regarding its application, including on its FCC Form 159 (FCC Remittance Advice) accompanying any required auction deposits or payments submitted to the Commission. This number also must be used whenever an applicant writes, calls, or otherwise inquires about its application. Qualified bidders will

need this number to participate in the auction.

d. Applicants must indicate on their FCC Form 175, if applicable, their status as a rural telephone company, minorityowned business, women-owned business and/or small business. See 47 C.F.R. 1.2110(b), 90.814. Applicants claiming status as a small business must compute their gross revenues in accordance with 47 C.F.R. 90.814. The indication of applicants' status as a minority-owned business or womenowned business is for statistical purposes only. All applicants should pay particular attention to the provisions of 47 C.F.R. 1.2110 and 90.814

Small businesses that are filing their forms electronically must also indicate the bidding credit and installment payment option to which they are entitled. See 47 C.F.R. 90.810, 90.812, 90.815. For the purpose of filing the FCC Form 175, the installment payment plan associated with small businesses that fall under the \$15 million definition is hereby designated as Plan A. Similarly, the installment payment plan associated with small businesses that fall under the \$3 million definition is hereby designated as Plan B. Applicants should note that an MTA license issued to an eligible small business that elects installment payments will be conditioned on the full and timely performance of the license holder's quarterly payments.

e. Applicants must identify on the FCC Form 175 the market number and frequency block for each license on which they seek bidding eligibility. Applicants should use a supplemental FCC Form 175-S to include any additional markets and frequency blocks on which they seek bidding eligibility. The market number for each MTA and the upfront payment for each frequency block in each MTA, taking into account the presence of incumbents, are listed in Attachment C of this Public Notice. MTA service areas are based on Rand McNally's 1992 Commercial Atlas & Marketing Guide, 123rd Edition, which organizes the United States into 51 MTAs.

f. Applicants must list the name(s) of the person(s) authorized to represent them at the auction (up to a maximum of three). Only those individuals listed on the FCC Form 175 will be authorized to submit and withdraw bids for the applicant during the auction.

ig. Applicants should read the "certifications" on the FCC Form 175 carefully before submitting their application. Among other things, each applicant must certify that it is the real party in interest. Applicants who file

their FCC Form 175 applications electronically will not be required to transmit an original or electronic signature. However, similar to a manually filed FCC Form 175, upon submission, the certifying official has made the representation that he/she is an authorized representative of the applicant for the license(s) selected, and that he/she has read the instructions and the certifications and that all matters and things stated in the application and attachments, including exhibits, are true and correct. These certifications help to ensure a fair and competitive auction and require, among other things, disclosure of certain information on agreements or arrangements concerning the auction. Submission of a false certification to the Commission may result in penalties, including monetary forfeitures, MTA license forfeitures, ineligibility to participate in future auctions, and/or criminal prosecution.

h. If the Commission wishes to communicate with the applicant by mail, telephone or fax, such communications will be directed to the contact person identified on the FCC Form 175. A space has been provided for both a telephone number and a fax number. All written communications will be directed to the contact person at the address specified on the FCC Form 175. (Applicants must provide a street address; PO Box addresses should not be used.)

i. Applicants seeking bidding credits and installment payments as small businesses must attach an exhibit listing ownership and gross revenue information verifying that they qualify as small businesses. Applicants must provide the identity of their affiliates, persons or entities that hold attributable interests in the applicant and their affiliates, and if a consortium of small businesses, the members in the joint venture. Partnership and other ownership interests and any stock interest amounting to 20 percent or more of the equity or outstanding stock of the applicant will be attributable.

j. Applicants must attach an exhibit identifying all parties with whom they have entered into any consortium arrangements, joint ventures, partnerships or other agreements or understandings which relate in any way to the competitive bidding process of this auction.

k. Microfiche copies of the FCC Form 175 and 175–S applications are required for all manual submissions in excess of five pages. For this auction, the FCC will allow submission of a 3.5" diskette, in lieu of microfiche, which contains ASCII text (.TXT) files of all exhibit