largest MTAs, and only if three or more rounds have passed without any bids on these MTA licenses.

The Bureau does not intend to exercise these options except in extreme circumstances, such as where the auction is proceeding very slowly, there is minimal overall bidding activity and it appears unlikely that the auction will close within a reasonable period of time.

F. Delay, Suspension or Cancellation of the Auction

The Commission may, by Public Notice or by announcement during the auction, delay, suspend or cancel the auction in the event of natural disaster, technical obstacle, evidence of an auction security breach, unlawful bidding activity, administrative necessity, if for any other reason that affects the fair and competitive conduct of competitive bidding. in such cases, the Commission may, in its sole discretion, resume the auction starting from the beginning of the current or some previous round or cancel the auction in its entirety. The Commission will delay the auction in the event of technical failure involving the electronic bidding system or the telephone lines.

G. Default and Disqualification Penalties

Any high bidder who defaults by failing to remit the required down payment within the prescribed time or is disqualified after bidding is declared closed will be subject to the penaltites described in section 90.805(c) of the Commission's rules, 47 CFR 90.805(c). In addition, if a default or disqualification involves gross misconduct, misrepresentation or bad faith by an applicant, the Commission may declare the applicant and its principals ineligible to bid in future auctions, and may take any other action that it deems necessary, including institution of proceedings to revoke any existing licenses or station licenses held by the applicant. See Competitive Bidding Second Report and Order in PP Docket No. 93-253, 9 FCC Rcd 2348, at ¶ 198, 59 FR 22980 (May 4, 1994).

H. Releasing Bidder Identities

Bidders' identities and FCC Account Numbers will be disclosed prior to the auction. Thus, bidders will know in advance of the auction the identities of the bidders against whom they are bidding.

I. Collusion

To prevent collusion, the Commission's rules generally prohibit communications after FCC Form 175 applications are filed and before down payments are submitted, among applicants eligible to bid for the same geographic markets when such communications concern bids, bidding strategies or settlements. See 47 CFR 1.2105(c), (d).

V. Post-Auction Procedures for High Bidders

Detailed information regarding down payments, submission of the long-form application (FCC Form 600), and full payment and installment payment plans will be included in the Bidder Information Package.

VI. Bidder Alert

A. Applicant Certification Requirements

The Terms contained in the Commission's Report and Orders, Public Notices and 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 making any bid.

All applicants must certify under penalty of perjury on their FCC Form 175 applications that they are legally, technically and financially qualified. Prospective bidders are reminded that submission of a false certification to the Commission is a serious matter that may result in severe penalties including monetary forfeitures, MTA license revocations, preclusion from participation in future auctions, and/or criminal prosecution.

B. A Note on Possible Deceptive Solicitations

As is the case with many business investment opportunities, some

unscrupulous entrepreneurs may attempt to use the SMR auctions to deceive and defraud unsuspecting investors. According to the Securities and Exchange Commission ("SEC"), common warning signals of such fraud include the following: the first contact is a "cold call" from a telemarketer or made in response to an inquiry prompted by a television or radio informercial; the offering materials used to invest in the venture appear to be targeted at IRA funds by, for example, including all documents and papers needed for the transfer of funds maintained in IRA accounts; the amount of the minimum investment is less than \$20,000; the sales representative makes verbal representations that (1) the IRS, FTC, SEC, FCC, or some other government agency has approved the investment; (2) the investment is not subject to state or federal securities laws: (3) the investment will yield unrealistically high short-term profits. In addition, the offering materials often include actual copies of FCC releases, or quotes from Commission personnel, giving the appearance of FCC approval or knowledge of the solicitation.

The Commission does not approve any individual investment proposal, nor does it provide a warranty with respect to any license being auctioned. Potential applicants or investors are reminded that winning a license in the 900 MHz SMR auction is not a guarantee of success in the marketplace. Information about deceptive telemarketing investment schemes is available from the Federal Trade Commission (FTC) at (202) 326-2222 and from the Securities and Exchange Commission (SEC) at (202) 942-7040. Complaints about specific deceptive telemarketing investment schemes should be directed to the National Fraud Information Center at 1 (800) 876-7060, the FTC or the SEC. Consumers who have concerns about specific SMR investment proposals, or previous SMR investments, may also call the FCC Auction Hotline at (202) 418-1400.

Federal Communications Commission. William F. Caton, *Acting Secretary.*

ATTACHMENT A.—DESIGNATED FILING AREA LICENSEES

Licensee name	Call sign	Freq. block
Albany DFA licensee: RAM Mobile Data USA LP Atlanta DFA licensees:	WNSK863	D
DB Network	WPDB842	A
PowerSpectrum of Atlanta Inc	WNIX551	В
Reese Telecommunications Inc	WNKM869	C