

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Rulemaking to Amend Parts 1, 2, 21, and 25) CC Docket No. 92-297
Of the Commission's Rules to Redesignate)
The 27.5-29.5 GHz Frequency Band, to)
Reallocate the 29.5-30.0 GHz Frequency)
Band, To Establish Rules and Policies for)
Local Multipoint Distribution Service)
And for Fixed Satellite Services)
)
Petitions for Reconsideration of)
the Commission's Competitive Bidding Rules)

PETITION FOR FURTHER RECONSIDERATION

LBC Communications, Inc. ("LBC"), submits this petition for further reconsideration of the Second Order on Reconsideration (the "Order") in the above-referenced proceeding, which was released late on Friday, September 12, 1997.

In the Order, the Commission, among other things, eliminated the installment payment option for LMDS licensees. As a result of this change in the LMDS auction rules, small businesses intending to participate in the LMDS auctions have been forced to return to the financial markets for additional financing. In the meantime, the Commission already has scheduled the LMDS auction to begin December 10, 1997, and short-form applications are due November 17, 1997.¹ Thus, between the release of the Order eliminating installment payment plans and the date for filing short-form applications, small businesses will have little more than two months to arrange for supplementary financing.

This period is inadequate for all but the most well-heeled and well-connected of small businesses. Given the change in the auction rules and the nature of the businesses most affected by the change, the Commission should allow at least four full months for

¹ See FCC Announces Upcoming Spectrum Auction Schedule: Two Auctions to Commence Before End of Year, PN No. DA-97-1627 (rel. July 30, 1997).

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would-be bidders to obtain additional financing prior to the submission of their short-form applications.

Accordingly, LBC respectfully requests that the Commission reconsider its decision to begin the LMDS auction on December 10, 1997, and instead defer the short-form application due-date until at least January 19, 1998.

Respectfully submitted,
LBC COMMUNICATIONS



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September 19, 1997