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## Via ECFS

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: *Notice of Ex Parte Presentation*  
GN Docket No. 12-268 and AU Docket No. 14-252

Dear Ms. Dortch:

On March 23, 2015, on behalf of United States Cellular Corporation (“USCC”), Dr. Robert Weber, Frederik E. Nemmers Distinguished Professor of Decision Sciences, Kellogg School of Management, Northwestern University, sent an email to both Dr. Paul Milgrom, Co-Founder and Chairman of the Board of Directors of Auctionomics, and Dr. Lawrence Ausubel, Chairman and Founder of Power Auctions. These consulting firms have been advising the Commission regarding auction theory in preparation for the upcoming broadcast incentive auction. In his email, Dr. Weber noted his concerns regarding the Commission’s proposal to incorporate bidding procedures into the assignment phase of the incentive auction, stressing that bidding procedures in the assignment phase are unnecessary and would ultimately threaten the success of the crucially important clock phase of the auction. In addition, Dr. Weber attached both a narrative and an example to the email in order to explain his concerns in greater detail and to demonstrate the likely outcome of incorporating bidding procedures into the assignment phase.

Pursuant to Section 1.1206(b)(2) of the Commission’s rules, 47 C.F.R. §1.1206(b)(2), an electronic copy of Dr. Weber’s email, along with the two attachments thereto, is being electronically filed in the above-referenced dockets. Beyond this correspondence, Dr. Weber did not discuss the merits of the assignment phase or any other aspect of the incentive auction with either Dr. Milgrom or Dr. Ausubel. The Commission’s rules afford parties two business days from the date of an *ex parte* presentation to file a notice thereof.<sup>1</sup> In this case, given that the specific roles of Dr. Milgrom and Dr. Ausubel with respect to the Commission’s continuing consideration of procedures for the incentive auction had not been publicly released, it was unclear whether they constitute “decision-making personnel,” as that term is defined in Section 1.1202(c) of the Commission’s rules. The fact that correspondence to Dr. Milgrom and Dr. Ausubel regarding the merits of these proceedings do, in fact, constitute *ex parte* presentations was not brought to the attention of USCC and its counsel until today, which led to the passage of

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<sup>1</sup> 47 C.F.R. §1.1206(b)(2)(iii).

