

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Implementation of Section 309(j) of the	)	MM Docket No. 97-234
Communications Act -- Competitive Bidding	)	
for Commercial Broadcast and Instructional	)	
Television Fixed Service Licenses	)	
	)	
	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: February 28, 2000**

**Released: March 1, 2000**

By the Chief, Mass Media Bureau:

1. The Commission, by the Chief, Mass Media Bureau, acting pursuant to delegated authority, has before it a "Petition for Reconsideration" filed June 2, 1999, by Booth, Freret, Imlay and Tepper, P.C. (BFIT) and a "Request for Clarification and/or Reconsideration" filed May 19, 1999, by Snyder Hill Broadcasting, Inc. (Snyder Hill) seeking further reconsideration of the Commission's *Memorandum Opinion and Order*, FCC 99-74, in MM Docket No. 97-234, released April 20, 1999, concerning its broadcast competitive bidding rules adopted in its *First Report and Order*, 13 FCC Rcd 15920 (1998). For the reasons set forth below, we deny the Petition and Request.

2. In its Petition, BFIT asks that the Commission reconsider its prior reconsideration decision to prohibit engineering amendments to be filed after the submission of short forms (FCC Form 175) by applicants for new AM station facilities. In its Request, Snyder Hill also asks that the Commission reconsider its prior reconsideration decision to forego making a pre-auction determination as to the legal and technical qualifications of bidders in broadcast auctions. Both of these issues were fully considered and resolved by the Commission in the *Memorandum Opinion and Order* at ¶¶ 14-18 (pre-auction determination) and ¶¶ 57-67 (post-Form 175 engineering amendments). Petitioners proffer no new facts or arguments warranting reconsideration of the Commission's prior decision. As a result, both petitions for reconsideration are repetitious. *See* 47 C.F.R. § 1.106(k)(3).

3. Accordingly, IT IS ORDERED, That the Petition for Reconsideration filed by Booth, Freret, Imlay and Tepper, P.C. and the Request for Clarification and Reconsideration filed by Snyder Hill Broadcasting, Inc., ARE DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Roy J. Stewart  
Chief, Mass Media Bureau