

184. Because our approach to notification of delay during an auction has proven effective in resolving exigent circumstances in previous auctions, we adopt our proposed rules regarding auction delay, suspension, or cancellation. By public notice or by announcement during the auction, the Bureau may delay, suspend, or cancel the auction in the event of natural disaster, technical obstacle, evidence of an auction security breach, unlawful bidding activity, administrative or weather necessity, or for any other reason that affects the fair and competitive conduct of competitive bidding. In such cases, the Bureau, in its sole discretion, may elect to resume the auction starting from the beginning of the current round, resume the auction starting from some previous round, or cancel the auction in its entirety. Network interruption may cause the Bureau to delay or suspend the auction. We emphasize that exercise of this authority is solely within the discretion of the Bureau, and its use is not intended to be a substitute for situations in which bidders may wish to apply their activity rule waivers.

B. Bidding Procedures

1. Round Structure

185. The initial schedule of bidding rounds will be announced in the public notice listing the qualified bidders, which is released approximately 10 days before the start of the auction. Each bidding round is followed by the release of round results. Multiple bidding rounds may be conducted in a given day. Details regarding round results formats and locations will also be included in the qualified bidders public notice.

186. The Bureau has discretion to change the bidding schedule in order to foster an auction pace that reasonably balances speed with the bidders' need to study round results and adjust their bidding strategies. The Bureau may increase or decrease the amount of time for the bidding rounds and review periods, or the number of rounds per day, depending upon the bidding activity level and other factors.

2. Reserve Price and Minimum Opening Bids

187. Section 309(j) of the Communications Act of 1934, as amended, calls upon the Commission to prescribe methods by which a reasonable reserve price will be required or a minimum opening bid established when applications for FCC licenses are subject to auction (*i.e.*, because they are mutually exclusive), unless the Commission determines that a reserve price or minimum opening bid is not in the public interest.²⁴⁷ Consistent with this mandate, the Commission directed the Bureau to seek comment on the use of a minimum opening bid and/or reserve price prior to the start of each auction.²⁴⁸ Among other factors, the Bureau must consider the amount of spectrum being auctioned, levels of incumbency, the availability of technology to provide service, the extent of interference with other spectrum bands, and any other relevant factors that could have an impact on the spectrum being auctioned.²⁴⁹ The Commission concluded that the Bureau should have the discretion to employ either or both of these mechanisms for future auctions.²⁵⁰

188. Congress recently required the Commission to revise existing regulations regarding reserve prices for auctions involving "eligible frequencies" subject to CSEA. CSEA defines "eligible frequencies" as including frequencies from 1710-1755 MHz.²⁵¹ Thus, each AWS-1 license authorizes use

²⁴⁷ 47 U.S.C. § 309(j)(4)(F).

²⁴⁸ See Amendment of Part 1 of the Commission's Rules — Competitive Bidding Procedures, WT Docket No. 97-82, *Third Report and Order and Second Further Notice of Proposed Rule Making*, 13 FCC Rcd 375, 455-456 ¶ 141 (1997) ("*Part 1 Third Report and Order*").

²⁴⁹ *Id.*

²⁵⁰ *Id.*

²⁵¹ CSEA, § 202.

of frequencies, one-half of which are subject to CSEA requirements.²⁵² In CSEA, Congress directed the Commission to make revisions that would to prescribe methods by which the total cash proceeds from any auction of licenses authorizing use of eligible frequencies shall equal at least 110 percent of the total estimated relocation costs provided to the Commission pursuant to CSEA.²⁵³ Accordingly, the Commission recently revised its reserve price rule.²⁵⁴

189. CSEA also imposes other related requirements regarding the proceeds from an auction involving eligible frequencies. Pursuant to CSEA, the total cash proceeds “attributable to” eligible spectrum must be at least 110 percent of the total estimated relocation costs before the Commission may conclude the auction.²⁵⁵ If this condition is not met, CSEA requires that the Commission shall cancel the auction.²⁵⁶ Finally, in CSEA, Congress also directed that “[c]ash proceeds attributable to the auction of any eligible frequencies . . . shall be deposited in the Spectrum Relocation Fund” created by CSEA.²⁵⁷

a. Reserve Price

190. Pursuant to CSEA, on December 27, 2005, NTIA notified the Commission of the estimated relocation costs and timelines for relocation of eligible federal entities assigned to frequencies from 1710 to 1755 MHz.²⁵⁸ NTIA reported that the total estimated relocation costs equal \$935,940,312. This information can be found at <http://www.ntia.doc.gov/osmhome/reports/specrelo/index.htm>.

191. Accordingly, in the *Auction No. 66 Comment Public Notice*, we proposed to establish an aggregate reserve price of \$1,029,534,343.20 for all AWS-1 licenses.²⁵⁹ This aggregate reserve price is 110 percent of total estimated relocation costs of \$935,940,312 and therefore the minimum reserve price required by CSEA.

192. For purposes of determining whether a CSEA revenue requirement has been met, the Commission has determined that “total cash proceeds” means winning bids net of any applicable bidding credit discounts at the end of bidding (*e.g.*, exclusive of tribal lands bidding credits).²⁶⁰ Given that one-half of the frequencies authorized for use by each AWS-1 license is subject to CSEA, we proposed in the *Auction No. 66 Comment Public Notice*, that one-half of each relevant bid for each license would be considered “attributable” to “eligible frequencies” for purposes of CSEA. Accordingly, for determining whether the reserve price is met in Auction No. 66, one-half of each winning bid, net of any applicable bidding credit discounts at the end of bidding (*e.g.*, exclusive of tribal lands bidding credits) would be counted toward meeting the reserve price. Furthermore, consistent with the statute, the same amount would determine whether the auction may conclude pursuant to CSEA.

193. A few commenters disagree with our proposal to consider one-half of each relevant bid when determining whether the reserve price has been met. Verizon Wireless objects that the proposal wrongly “assumes that precisely one-half of any AWS-1 bid can be attributed to one-half the

²⁵² See Section I.A. “Introduction,” *supra*.

²⁵³ See CSEA, § 203(b).

²⁵⁴ See *CSEA/Part 1 Report and Order*.

²⁵⁵ See CSEA, § 203(b).

²⁵⁶ *Id.*

²⁵⁷ CSEA, § 203(c).

²⁵⁸ See CSEA, § 202.

²⁵⁹ See *Auction No. 66 Comment Public Notice* at 14.

²⁶⁰ See *CSEA/Part 1 Declaratory Ruling*, 20 FCC Rcd at 11270-72 ¶¶ 5-12.

spectrum.”²⁶¹ Verizon Wireless also argues that by attributing only half of each relevant bid to meeting the reserve, the Commission is improperly “mandat[ing] how those funds should be apportioned over the 45 MHz of spectrum that will be cleared” and “ensur[ing] that a minimum of additional funds be secured for auctioning other spectrum separate from this band [i.e., the other half of each license].”²⁶² This, according to Verizon Wireless, amounts to the Commission “attempt[ing] to assess a value [of] the spectrum being auctioned.”²⁶³ In reply comments, Cingular and T-Mobile second Verizon Wireless’s arguments.²⁶⁴

194. We are not persuaded by these arguments. CSEA, which refers variously to “proceeds from any auction of eligible frequencies,” “proceeds attributable to such spectrum,” and “proceeds attributable to the auction of any eligible frequencies,” plainly provides that we may attribute a portion of bids for licenses that authorize use of both eligible and non-eligible frequencies to the amounts used to determine whether CSEA requirements have been met. Furthermore, it is reasonable to attribute one-half of relevant bids to determine whether the CSEA-required reserve price is met given that every AWS-1 license authorizes use of frequencies of which one-half are eligible frequencies.²⁶⁵ The fact that some parties may not value a license authorizing use of one-half of the frequencies of an AWS-1 license at precisely one-half the value of the corresponding AWS-1 license does not make this proposal unreasonable.

195. Attributing one-half of relevant bids to meeting the CSEA-required reserve price means that the reserve price only will be met if the full amount of relevant bids is double the reserve price. As reflected by Verizon Wireless’s arguments, this could be viewed as effectively establishing a reserve price on the non-CSEA-eligible frequencies covered by the AWS-1 licenses. Contrary to Verizon Wireless, however, any effective reserve price for non-CSEA-eligible spectrum is well within the Commission’s authority. Moreover, under present circumstances, the amount of the effective reserve is appropriate.

196. The Communications Act expressly contemplates that the Commission may adopt a reserve price in any competitive bidding for licenses and construction permits, not only when CSEA eligible frequencies are involved.²⁶⁶ The Commission’s authority to do so furthers the Commission’s statutory mandate to “recover[] for the public a portion of the value of the public spectrum resource.”²⁶⁷ Verizon Wireless alleges that the proposed reserve price attempts to set the value of non-CSEA-eligible frequencies, which Verizon Wireless contends the Commission should not do. In the present circumstances, however, the amount of the effective reserve price on non-CSEA-eligible spectrum is determined by the reserve price on CSEA eligible spectrum. That amount, in turn, is based on NTIA’s estimates of relocation costs to reimburse eligible federal entities. Thus, the reserve price does not

²⁶¹ Verizon Wireless Comments at 8.

²⁶² *Id.* at 7.

²⁶³ *Id.* at 8.

²⁶⁴ Cingular Reply Comments at 5-6; T-Mobile Reply Comments at 7-8.

²⁶⁵ CSEA does not alter the Commission’s authority to establish services that include both eligible and non-eligible frequencies or to offer licenses authorizing use of eligible and non-eligible frequencies in varying proportions in a single auction. The Commission’s discretion pursuant to CSEA to attribute bids for such licenses between eligible and non-eligible frequencies enables the Commission to serve CSEA’s objectives of meeting estimated relocation costs and clearing eligible frequencies together with other public interests in spectrum management applicable to both eligible frequencies and non-eligible frequencies.

²⁶⁶ 47 U.S.C. § 309(j)(4)(F).

²⁶⁷ 47 U.S.C. § 309(j)(3)(C).

attempt to, and does not, set the value of the non-CSEA eligible spectrum, any more than it sets the value of the CSEA eligible spectrum.

197. Finally, we believe that effectively requiring that the full amount of relevant bids to be twice the estimated relocations costs of eligible federal entities is consistent with CSEA. The AWS-1 licenses were defined prior to the adoption of CSEA and Congress knew when it referred to “proceeds attributable” to eligible frequencies that the Commission intended to make available licenses combining eligible and non-eligible frequencies.

198. We adopt the proposal in the *Auction No. 66 Comment Public Notice*. We will apply an aggregate reserve price of \$1,029,534,343.20 to all AWS-1 licenses in Auction No. 66. Given that one-half of the frequencies authorized for use by each license are CSEA eligible frequencies, one-half of each winning bid, net of any applicable bidding credit discounts at the end of bidding (e.g., exclusive of tribal lands bidding credits), will be counted toward meeting the reserve price.

199. In light of the proposed procedures regarding information available to bidders,²⁶⁸ we also sought comment in the *Auction No. 66 Comment Public Notice* on whether the Commission should announce before the close of bidding whether the reserve price has been met. In comments, Cingular stated that if the Commission proceeds with its proposal to limit information regarding provisionally winning bids, it should make an announcement when the reserve price has been met.²⁶⁹

200. If information on net bids is withheld during the auction as described above (i.e., if the modified eligibility ratio is less than three), we agree with Cingular that an announcement should be made when the reserve price has been met.²⁷⁰ Therefore, if information regarding net bids is not provided, we will issue an announcement in the FCC Auction System stating that the reserve has been met immediately following the first round in which that occurs. Both the registered bidders and the general public will be able to view such announcements through the Commission’s website. We caution, however, that an announcement that the reserve price has been met following a round of the auction does not guarantee that the reserve price will continue to be met. Accordingly, after making the initial announcement that the reserve has been met, we will make a further announcement in the FCC Auction System after any round in which the reserve price status changes. As noted in the *Auction No. 66 Comment Public Notice*, the amount of net winning bids may decline during an auction, if either provisionally winning bids are withdrawn or a higher gross but lower net bid displaces a prior provisional winner.²⁷¹

b. Minimum Opening Bids

201. In addition to proposing an aggregate reserve price, the Bureau proposed in the *Auction No. 66 Comment Public Notice* to establish minimum opening bids for each license, while retaining discretion to lower the minimum opening bids.²⁷² Specifically, for Auction No. 66, we proposed the following formula for calculating license-by-license minimum opening bids:

$$\$0.05 * \text{MHz} * \text{License Area Population.}^{273}$$

²⁶⁸ See Section IV.A.2. “Information Available to Bidders Before and During an Auction,” *supra*.

²⁶⁹ Cingular Comments at 10.

²⁷⁰ If information on net bids is revealed during the auction (i.e., modified eligibility ration is three or greater), there will be no need to make such an announcement.

²⁷¹ *Auction No. 66 Comment Public Notice* at n. 37.

²⁷² *Id.* at 15.

²⁷³ An exception to this formula is that proposed upfront payments are set at \$20,000 per 10 MHz license and \$40,000 per 20 MHz license for the CMA, EA, and REAG licenses covering the Gulf of Mexico. All population (continued....)

The Bureau sought comment on this proposal and, in the alternative, whether, consistent with the Section 309(j), the public interest would be served by having no minimum opening bid.²⁷⁴

202. We received a variety of comments on the proposed level of minimum opening bids. Some commenters support the Bureau's proposal.²⁷⁵ A few commenters assert that no minimum opening bids should be established, given the use of a reserve price.²⁷⁶ Numerous commenters believe that the formula to determine upfront payments and minimum opening bids should not apply the same figure to a rural population as it does to an urban population. They assert that because of higher buildout costs, upfront payments and minimum opening bids for less densely populated areas should be lower than those for more densely populated areas.²⁷⁷ More specifically, many commenters contend that minimum opening bids for licenses covering RSAs should be lowered from \$0.05 per MHz*Pop to \$0.01, 0.02, or 0.025 per MHz*Pop.²⁷⁸

203. In addition, some commenters have argued that prior auction results and private market sales indicate that the proposed minimum opening bids for sparsely populated areas may exceed the market price of the license, potentially resulting in a number of unsold licenses.²⁷⁹

204. In Commission auctions, minimum opening bids are intended to serve as useful starting points for bidding. Minimum opening bids are not intended to be estimates of final auction prices or to reflect all differences between license values. Accordingly, differences in license characteristics, such as population density, that may result in different final prices do not always necessitate different minimum opening bids for the licenses.

205. We are persuaded by the record, however, that minimum opening bids based on our proposal may be too high for licenses covering low density RSAs. We conclude that it is appropriate to reduce minimum opening bids for RSAs by forty percent (40%) from our initial proposal, *i.e.* to \$0.03 per MHz*Pop. While some commenters argue for an even greater reduction, we are not persuaded that we should lower minimum opening bids any further.

206. No equivalent evidence supports a similar reduction in the minimum opening bids for licenses covering MSAs. Accordingly, we will adopt our initial proposal with respect to such licenses and set the minimum opening bids using the proposed formula, *i.e.*, \$0.05 per MHz*Pop.

207. In order to take into account that rural and urban populations are covered by a single license in larger geographic area licenses, we will apply the lower minimum opening bid formula for rural areas on a county-by-county basis for all licenses. More specifically, we first will break down the larger

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figures are from the 2000 U.S. Census, U.S. Department of Commerce, Bureau of the Census. *See* Census 2000 Summary File 1 (SF1) and July 3, 2001, News Releases covering the U.S. Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa. Results are rounded using our standard rounding procedure: results above \$10,000 are rounded to the nearest \$1,000; results below \$10,000 but above \$1,000 are rounded to the nearest \$100; and results below \$1,000 are rounded to the nearest \$10.

²⁷⁴ *Auction No. 66 Comment Public Notice* at 15.

²⁷⁵ T-Mobile Comments at 9.

²⁷⁶ Wirefree Comments at 1; U.S. Cellular Reply Comments at 11.

²⁷⁷ *See, e.g.*, WCTA Comments at 3.

²⁷⁸ *See* Blooston Coalition Reply Comments at 5 (\$0.01); RTG Comments at 6 (\$0.02); MetroPCS Reply Comments at 14-15 (\$0.25).

²⁷⁹ *See* Farmers Mutual Comments at 3; RTG Comments at 6.

geographic areas into their component counties.²⁸⁰ The lower minimum opening bid formula of \$0.03 per MHz*Pop will be applied to the population of those rural counties that are included in an RSA. The formula of \$0.05 per MHz*Pop will be applied to the population of the remaining counties. The minimum opening bid for an EA or REAG license will be calculated as the sum of minimum opening bids for the counties in the EA or REAG. Finally, as described above, we have made corresponding changes in the upfront payments and bidding units for each licenses.²⁸¹

208. We did not receive any comments addressing our proposal that we retain the discretion to reduce minimum opening bid amounts. We adopt this proposal. The minimum opening bid amounts we adopt for Auction No. 66 are reducible at the discretion of the Bureau. We emphasize, however, that such discretion will be exercised, if at all, sparingly and early in the auction, *i.e.*, before bidders lose all activity waivers. During the course of the auction, the Bureau will not entertain requests to reduce the minimum opening bid amount on specific licenses.

209. The specific minimum opening bid amounts for each license available in Auction No. 66 calculated pursuant to the procedure describe above, as well as the aggregate reserve price for all AWS-1 licenses, are set forth in Attachment A.

3. Bid Amounts

210. In each round, each eligible bidder will be able to place a bid on a particular license for which it applied in any of nine different amounts.²⁸² The FCC Auction System will list the nine bid amounts for each license.²⁸³ The nine bid amounts for each license consist of the minimum acceptable bid amount calculated using an activity-based formula and additional amounts calculated using a bid increment percentage.

a. Minimum Acceptable Bid Amounts and Bid Increment Amounts

211. In the *Auction No. 66 Comment Public Notice*, we proposed that the minimum acceptable bid amount for a license would be equal to its minimum opening bid amount until there is a provisionally winning bid for the license. After there is a provisionally winning bid for a license, the minimum acceptable bid amount for that license would be equal to the amount of the provisionally winning bid plus an additional amount calculated using an activity-based formula described below.²⁸⁴ We further proposed to retain the discretion to change the minimum acceptable bid amounts and bid increment amounts if circumstances so dictated.²⁸⁵ T-Mobile supports the proposal.²⁸⁶ Leap suggests that the Commission should reduce the percentage used to determine the minimum acceptable bid as the ratio of bidder eligibility to licenses, measured in bidding units, declines.²⁸⁷ In subsequent reply comments, U.S. Cellular supports this suggestion.²⁸⁸ In light of the Bureau's discretion to change the percentages during

²⁸⁰ The changes we make to our proposal for determining minimum opening bids does not modify our proposal with respect to licenses covering the Gulf of Mexico.

²⁸¹ See Section III.D.3. "Upfront Payments and Bidding Eligibility," *supra*.

²⁸² Bidders must have sufficient eligibility to place a bid on the particular license. See Section III.D.3 "Upfront Payments and Bidding Eligibility," *supra*.

²⁸³ In the event of duplicate bid amounts due to rounding, the FCC Auction System will omit the duplicates and will list fewer than nine acceptable bid amounts for the license.

²⁸⁴ *Auction No. 66 Comment Public Notice* at 16.

²⁸⁵ *Id.*

²⁸⁶ T-Mobile Comments at 3.

²⁸⁷ Leap Comments at 11-12.

the auction, this suggestion can be taken into account without modifying the original proposal. The Bureau will consider the suggestion as it exercises its discretion during the auction.

212. Communications Advisory Counsel argues that the Commission should use a smaller percentage to determine acceptable bids for designated entities, in order to encourage designated entities to remain in the auction.²⁸⁹ Pursuant to the proposal, the Bureau has discretion to change the percentage in appropriate circumstances. It may be appropriate to reduce the percentage to encourage bidders to continue bidding on a license in certain circumstances. However, we are not persuaded that the percentage should be reduced solely for designated entities, or any other particular class of bidder. We do not believe it is necessary or appropriate to supplement the bidding credits the Commission provides to designated entities with customized bidding procedures.

213. As another alternative, Colts Neck argues that the Commission should simplify the determination of minimum acceptable bids using a simple percentage in place of an activity-based formula.²⁹⁰ It further argues that the Commission should permit bidders to bid in any amount above the minimum.²⁹¹ We decline to adopt these alternatives. Determining minimum acceptable bid amounts based in part on bidding activity on a license helps pace the auction. We cannot be certain in advance of an auction that using a simple percentage will approximate results based on activity. Accordingly, we believe it is appropriate to use an activity-based formula to determine minimum acceptable bids, as well as additional bid amounts. Finally, with respect to amounts greater than the minimum acceptable bid, providing specified bid amounts both prevents bidders from sending signals in their bids and helps bidders avoid errors when inputting their bids. The Commission has successfully used this procedure to help achieve these purposes.

214. Based on our experience in prior auctions and taking into account the comments submitted on this issue, we adopt our original proposals for Auction No. 66. The activity-based formula calculates minimum acceptable bid amounts by first calculating a percentage increment. The percentage increment for each license is a function of bidding activity on that license in prior rounds; therefore, a license that has received many bids will have a higher percentage increment than a license that has received few bids. This allows the minimum acceptable bid amounts to be tailored to the activity on a license, decreasing the number of rounds it takes for license receiving many bids to reach their final prices. Equations and examples are shown in Attachment F.

215. The calculation of the percentage increment used to determine the minimum acceptable bid amounts for each license for the next round is made at the end of each round. The computation is based on an activity index, which is a weighted average of the number of bids in that round and the activity index from the prior round. The current activity index is equal to a weighting factor times the number of bidders that submit bids on the license in the most recent bidding round plus one minus the weighting factor times the activity index from the prior round.²⁹² The activity index is then used to calculate a percentage increment by multiplying a minimum percentage increment by one plus the activity index with that result being subject to a maximum percentage increment. We proposed to initially set the weighting factor at 0.5, the minimum percentage increment at 0.1 (10%), and the maximum percentage increment at 0.2 (20%). Hence, at these initial settings, the percentage increment will fluctuate between

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²⁸⁸ U.S. Cellular Reply Comments at 11.

²⁸⁹ CAC Comments at 7-8.

²⁹⁰ Colts Neck Comments at 3, 11.

²⁹¹ *Id.*

²⁹² For Round 1 calculations, because there is no prior round (*i.e.*, no round 0), the activity index from the prior round is set at 0.

10% and 20% depending upon the number of bids for the license. We will round the result using our standard rounding procedures.²⁹³

216. In the case of a license for which the provisionally winning bid has been withdrawn, the minimum acceptable bid amount will equal the second highest bid received for the license.²⁹⁴

217. The minimum acceptable bid amount for a license will be equal to its minimum opening bid amount until there is a provisionally winning bid for the license. After there is a provisionally winning bid for a license, the minimum acceptable bid amount for that license will be equal to the amount of the provisionally winning bid plus an additional amount. Using the activity-based formula described above, the FCC Auction system will calculate a **percentage increment** at the end of each round to determine the minimum acceptable bid amount for each license for the next round.

b. Additional Bid Amounts

218. The acceptable bid amounts in addition to the minimum acceptable bid amount for each license are calculated using a **bid increment** percentage. The first additional acceptable bid amount equals the minimum acceptable bid amount times one plus the bid increment percentage, rounded — e.g., if the increment percentage is 10 percent, the calculation is (minimum acceptable bid amount) * (1 + 0.10), rounded, or (minimum acceptable bid amount) * 1.10, rounded; the second additional acceptable bid amount equals the minimum acceptable bid amount times one plus two times the bid increment percentage, rounded, or (minimum acceptable bid amount) * 1.20, rounded; the third additional acceptable bid amount equals the minimum acceptable bid amount times one plus three times the bid increment percentage, rounded, or (minimum acceptable bid amount) * 1.30, rounded; etc. We will begin the auction with a bid increment percentage of 10 percent.

219. The Bureau retains the discretion to change the minimum acceptable bid amounts, the parameters of the formula to determine the percentage increment, and the bid increment percentage if it determines that circumstances so dictate. The Bureau will do so by announcement in the FCC Auction System during the auction. The Bureau may also use its discretion to adjust the minimum bid increment amount without prior notice if circumstances warrant.

4. Provisionally Winning Bids

220. At the end of each bidding round, a “provisionally winning bid” will be determined based on the highest bid amount received for each license. A provisionally winning bid will remain the provisionally winning bid until there is a higher bid on the same license at the close of a subsequent round. Provisionally winning bids at the end of the auction become the winning bids. Bidders are reminded that provisionally winning bids count toward activity for purposes of the activity rule.²⁹⁵

221. In the *Auction No. 66 Comment Public Notice*, the Bureau proposed to use a random number generator to select a single provisionally winning bid in the event of identical high bid amounts being submitted on a license in a given round (i.e., tied bids).²⁹⁶ One commenter addressed our proposed method for breaking ties.²⁹⁷ Sprint Nextel Corporation asserts that the use of a random number generator

²⁹³ Results are rounded using our standard rounding procedure: results above \$10,000 are rounded to the nearest \$1,000; results below \$10,000 but above \$1,000 are rounded to the nearest \$100; and results below \$1,000 are rounded to the nearest \$10.

²⁹⁴ See Section IV.B.5. “Bid Removal and Bid Withdrawal,” *infra*.

²⁹⁵ See Section IV.A.3. “Eligibility and Activity Rules,” *supra*.

²⁹⁶ *Auction No. 66 Comment Public Notice* at 17.

²⁹⁷ Other commenters made proposals to avoid ties which we address separately. See Section IV.B.3.a. “Minimum Acceptable Bid Amounts and Bid Increment Amounts,” *supra*, addressing comments filed by Colts Neck.

to break ties among bids amounts to using a system of random selection beyond the Commission's statutory authority to assign licenses.²⁹⁸ We disagree. Using a random number generator to break ties among bids submitted as part of a system of competitive bidding does not amount to random assignment of licenses. The statutory provision cited by Sprint Nextel Corporation, which terminates the Commission's prior authority pursuant to Section 309(i) of the Communications Act, simply does not apply to the Commission's authority to conduct competitive bidding pursuant to Section 309(j) of the Communications Act.²⁹⁹ Moreover, the random number generator only determines the provisionally winning bid after a round in which bidders submit tie bids. Bidders that lose a tie-break in one round are able to raise their bids in subsequent rounds. Consequently, a license only will be awarded to a bid that wins a tie-break if other bidders decline to raise their bids. This does not amount to a system of random selection. We did not receive any comments addressing the merits of the proposed method of breaking ties. In light of its successful use in prior auctions, we adopt the proposal.

222. A pseudo-random number generator based on the L'Ecuyer algorithms will be used to assign a random number to each bid.³⁰⁰ The tied bid with the highest random number wins the tiebreaker. The remaining bidders, as well as the provisionally winning bidder, can submit higher bids in subsequent rounds. However, if the auction were to end with no other bids being placed, the winning bidder would be the one that placed the selected provisionally winning bid.

223. During a round, a bidder may submit bids for as many licenses as it wishes (providing that it is eligible to bid), withdraw provisionally winning bids from previous rounds, remove bids placed in the current bidding round, or permanently reduce eligibility. Bidders also have the option of submitting and removing multiple bids and withdrawing multiple provisionally winning bids (subject to the limitation on withdrawal rounds discussed below) during a round. If a bidder submits multiple bids for a single license in the same round, the system takes the last bid entered as that bidder's bid for the round. Bidders should note that the bidding units associated with licenses for which the bidder has removed or withdrawn its bid do not count towards the bidder's current activity.

224. All bidding will take place remotely either through the FCC Auction System or by telephonic bidding. There will be no on-site bidding during Auction No. 66. Please note that telephonic bid assistants are required to use a script when entering bids placed by telephone. Telephonic bidders are therefore reminded to allow sufficient time to bid by placing their calls well in advance of the close of a round. Normally, five to ten minutes are necessary to complete a telephonic bid submission.

225. A bidder's ability to bid on specific licenses is determined by two factors: (1) the licenses selected on the bidder's FCC Form 175 and (2) the bidder's eligibility. The bid submission screens will allow bidders to submit bids on only those licenses the bidder selected on its FCC Form 175.

226. In order to access the bidding function of the FCC Auction System, bidders must be logged in during the bidding round using the passcode generated by the SecurID® card and a personal identification number (PIN) created by the bidder. Bidders are strongly encouraged to print a "round summary" for each round after they have completed all of their activity for that round.

²⁹⁸ Sprint Nextel Comments at 10; see 47 U.S.C. § 309(i)(5) (terminating Commission's authority to use random selection pursuant to Section 309(i) as of July 1, 1997).

²⁹⁹ Cf. 47 U.S.C. §§ 309(i) and 309(j).

³⁰⁰ A description of the L'Ecuyer algorithms can be found in L'Ecuyer, P. (1999) "Good Parameters and Implementations for Combined Multiple Recursive Random Number Generators" *Operations Research* 47 (1), pp.159-164. A longer version of this paper and the C code for the algorithms can be found on the author's website at <http://www.iro.umontreal.ca/~lecuyer/papers.html>.

227. In each round, eligible bidders will be able to place bids on a given license in any of nine different amounts.³⁰¹ For each license, the FCC Auction System will list the nine acceptable bid amounts in a drop-down box.³⁰² Bidders use the drop-down box to select from among the acceptable bid amounts. The FCC Auction System also includes an “upload” function that allows bidders to upload text files containing bid information.

228. Until a bid has been placed on a license, the minimum acceptable bid amount for that license will be equal to its minimum opening bid amount. Once there are bids on a license, minimum acceptable bids for a license will be determined as described in Section IV.B.3.

229. Finally, bidders are cautioned to select their bid amounts carefully because, as explained below, bidders that withdraw a provisionally winning bid from a previous round, even if the bid was mistakenly or erroneously made, are subject to bid withdrawal payments.

5. Bid Removal and Bid Withdrawal

230. In the *Auction No. 66 Comment Public Notice*, the Commission proposed bid removal and bid withdrawal procedures.³⁰³ With respect to bid withdrawals, the Commission proposed limiting each bidder to withdrawals in no more than two rounds during the course of the auction. The round in which withdrawals are used would be at each bidder’s discretion. T-Mobile expressed support for our proposal concerning bid withdrawals.³⁰⁴ The Commission adopts the proposal.

231. **Procedures.** Before the close of a bidding round, a bidder has the option of removing any bids placed in that round. By using the “remove bids” function in the FCC Auction System, a bidder may effectively “unsubmit” any bid placed within that round. A bidder removing a bid placed in the same round is not subject to withdrawal payments. Removing a bid will affect a bidder’s activity for the round in which it is removed, *i.e.*, a bid that is removed does not count toward bidding activity. These procedures will enhance bidder flexibility during the auction, and therefore we adopt them for Auction No. 66.

232. Once a round closes, a bidder may no longer remove a bid. However, in later rounds, a bidder may withdraw provisionally winning bids from previous rounds using the “withdraw bids” function in the FCC Auction System (assuming that the bidder has not already withdrawn bids in a previous round). A provisionally winning bidder that withdraws its provisionally winning bid from a previous round during the auction is subject to the bid withdrawal payments specified in 47 C.F.R. § 1.2104(g). **Note: Once a withdrawal is submitted during a round, that withdrawal cannot be unsubmitted even if the round has not yet ended.**

233. In previous auctions, we have detected bidder conduct that, arguably, may have constituted anti-competitive behavior through the use of bid withdrawals. While we continue to recognize the important role that bid withdrawals may play in an auction, *i.e.*, reducing risk associated with efforts to secure various licenses in combination, we conclude that, for Auction No. 66, adoption of a limit on the use of withdrawals to two rounds per bidder is appropriate. By doing so we believe we strike a reasonable compromise that will allow bidders to use withdrawals. We base our decision on this issue

³⁰¹ Bidders must have sufficient eligibility to place a bid on the particular license. See Section III.D.3. “Upfront Payments and Bidding Eligibility,” *supra*.

³⁰² In the event of duplicate bid amounts due to rounding, the FCC Auction System will omit the duplicates and will list fewer than nine acceptable bid amounts for the license.

³⁰³ *Auction No. 66 Comment Public Notice* at 18-20.

³⁰⁴ See T-Mobile Comments, Cramton Decl. at 6.

upon our experience with bid withdrawals in prior auctions, including PCS D, E and F block and 800 MHz SMR, and FM broadcast auctions.

234. We will therefore limit the number of rounds in which bidders may place withdrawals to two rounds. These rounds will be at the bidder's discretion and there will be no limit on the number of bids that may be withdrawn in either of these rounds. Withdrawals during the auction will be subject to the bid withdrawal payments specified in 47 C.F.R. § 1.2104(g). Bidders should note that abuse of the Commission's bid withdrawal procedures could result in the denial of the ability to bid on a market.

235. If a provisionally winning bid is withdrawn, the minimum acceptable bid amount will equal the amount of the second highest bid received for the license, which may be less than, or in the case of tied bids, equal to, the amount of the withdrawn bid.³⁰⁵ To set the additional bid amounts, the second highest bid amount also will be used in place of the provisionally winning bid in the formula used to calculate bid increment amounts. The Commission will serve as a "place holder" provisionally winning bidder on the license until a new bid is submitted on that license.

236. **Calculation.** Generally, the Commission imposes payments on bidders that withdraw high bids during the course of an auction.³⁰⁶ If a bidder withdraws its bid and there is no higher bid in the same or subsequent auction(s), the bidder that withdrew its bid is responsible for the difference between its withdrawn bid and the provisionally winning bid in the same or subsequent auction(s).³⁰⁷ In the case of multiple bid withdrawals on a single license, within the same or subsequent auctions(s), the payment for each bid withdrawal will be calculated based on the sequence of bid withdrawals and the amounts withdrawn. No withdrawal payment will be assessed for a withdrawn bid if either the subsequent winning bid or any of the intervening subsequent withdrawn bids, in either the same or subsequent auctions(s), equals or exceeds that withdrawn bid. Thus, a bidder that withdraws a bid will not be responsible for any withdrawal payments if there is a subsequent higher bid in the same or subsequent auction(s).³⁰⁸ This policy allows bidders most efficiently to allocate their resources as well as to evaluate their bidding strategies and business plans during an auction while, at the same time, maintaining the integrity of the auction process. The Bureau retains the discretion to scrutinize multiple bid withdrawals on a single license for evidence of anti-competitive strategic behavior and take appropriate action when deemed necessary.

237. Section 1.2104(g)(1) of the rules sets forth the payment obligations of a bidder that withdraws a high bid on a license during the course of an auction, and provides for the assessment of interim bid withdrawal payments.³⁰⁹ The Commission recently revised Section 1.2104(g)(1) to provide that in advance of each auction it shall establish the percentage of the withdrawn bid to be assessed as an interim bid withdrawal payment between three percent (3%) and twenty percent (20%).³¹⁰ Further, the rule provides that the Commission will set the percentage of withdrawn bids to be assessed as interim bid withdrawal payments prior to each auction. In the *Auction No. 66 Comment Public Notice*, we proposed

³⁰⁵ The Bureau retains the discretion to lower the minimum acceptable bid on such licenses in the next round or in later rounds.

³⁰⁶ 47 C.F.R. §§ 1.2104(g), 1.2109.

³⁰⁷ The payment will equal the lower of: (1) the difference between the net withdrawn bid and the subsequent net winning bid; or (2) the difference between the gross withdrawn bid and the subsequent gross winning bid. See 47 C.F.R. § 1.2104(g)(1).

³⁰⁸ See following paragraph for discussion of interim bid withdrawal payments.

³⁰⁹ 47 C.F.R. § 1.2104(g)(1); see *Part 1 Fifth Report and Order*, 15 FCC Rcd at 15302 ¶ 15.

³¹⁰ See *CSEA/Part 1 Report and Order* at ¶ 30.

to establish the percentage at ten percent (10%) for the AWS-1 auction and sought comment on the proposal.

238. Commenters divided on the proposed interim bid withdrawal percentage, with some arguing that it would be too high, others too low, and others supporting our proposal.³¹¹

239. We adopt our proposal. The Commission will assess an interim withdrawal payment equal to ten percent (10%) of the amount of the withdrawn bids. The ten percent (10%) interim payment will be applied toward any final bid withdrawal payment that will be assessed after subsequent auction of the license. Assessing an interim bid withdrawal payment ensures that the Commission receives a minimal withdrawal payment pending assessment of any final withdrawal payment. Section 1.2104(g) provides specific examples showing application of the bid withdrawal payment rule.³¹²

6. Round Results

240. As described above, the information available after each round will vary depending on whether the modified eligibility ratio indicates the strong likelihood of a highly competitive auction. If the modified eligibility ratio is less than three and information is withheld in accordance with the proposed as modified above, information about the results of a round will be made public after the conclusion of the round.³¹³ Specifically, after a round closes, the Bureau will compile a report listing each license, its current provisionally winning bid amount, the minimum acceptable bid amount for the following round, the number of bids placed on the license during the round, and whether the license is FCC held. The Bureau will post the report so that it is publicly accessible. Moreover, after the auction, the Bureau will release complete reports of all bids placed during each round of the auction, including bidder identities. The Bureau will post those reports so that they are publicly accessible.

241. If, however, the modified eligibility ratio indicates the strong likelihood of a highly competitive auction (i.e., the modified eligibility ratio is three or greater), information will be provided in the same fashion typically provided after each round in the auction. Bids placed during a round will be made public at the conclusion of that round. Specifically, after a round closes, the Bureau will compile reports of all bids placed and which bidders made them, current provisionally winning bids, new minimum acceptable bid amounts, and bidder eligibility status (bidding eligibility and activity rule waivers) and will post the reports for public access.

7. Auction Announcements

242. The Commission will use auction announcements to announce items such as schedule changes and stage transitions. All auction announcements will be available by clicking a link in the FCC Auction System.

8. Maintaining the Accuracy of FCC Form 175 Information

243. As noted in Section II.H., after the short-form filing deadline, applicants may make only minor changes to their FCC Form 175 applications, for example, deletion and addition of authorized bidders (to a maximum of three). Applicants must click on the **SUBMIT** button in the FCC Auction System for the changes to be submitted and considered by the Commission. In addition, applicants

³¹¹ See, e.g., MetroPCS Comments at 17 (“no compelling reason for a change” in the prior level of three percent (3%)); Verizon Wireless Comments at 9 (“too low”); and T-Mobile Comments at 17 (supports interim withdrawal payments of “10 percent of applicable bids”).

³¹² 47 C.F.R. § 1.2104(g).

³¹³ The identities of parties that are qualified to bid in Auction No. 66 will be available before the auction. Thus, bidders will know in advance of this auction the identities of the other parties against which they may be bidding in the auction.

should submit a letter, briefly summarizing the changes, by electronic mail to the attention of Margaret Wiener, Chief, Auctions and Spectrum Access Division, at the following address: auktion66@fcc.gov. The electronic mail summarizing the changes must include a subject or caption referring to Auction No. 66 and the name of the applicant. The Bureau requests that parties format any attachments to electronic mail as Adobe® Acrobat® (pdf) or Microsoft® Word documents.

244. Applicants should not submit application-specific material through ECFS into the record of the proceeding concerning Auction No. 66 procedures.

V. POST-AUCTION PROCEDURES

A. Down Payments

245. After bidding has ended, the Commission will issue a public notice declaring the auction closed and identifying winning bidders, down payments and final payments due.

246. Within ten business days after release of the auction closing notice, each winning bidder must submit sufficient funds (in addition to its upfront payment) to bring its total amount of money on deposit with the Commission for Auction No. 66 to 20 percent of the net amount of its winning bids (gross bids less any applicable small business or very small business bidding credits).³¹⁴

B. Final Payments

247. Each winning bidder will be required to submit the balance of the net amount of its winning bids within 10 business days after the deadline for submitting down payments.³¹⁵

C. Long-Form Application (FCC Form 601)

248. Within ten business days after release of the auction closing notice, winning bidders must electronically submit a properly completed long-form application (FCC Form 601) for each license won through Auction No. 66. Winning bidders that are small businesses or very small businesses must demonstrate their eligibility for a small business or very small business bidding credit.³¹⁶ Further filing instructions will be provided to auction winners at the close of the auction.

249. The recently adopted *CSEA/Part 1 Report and Order* modifies the procedure by which a consortium that is a winning bidder in Auction No. 66 will apply for a license.³¹⁷ In particular, (a) each member or group of members of a winning consortium seeking separate licenses will be required to file a separate long-form application for its respective license(s) and, in the case of a license to be partitioned or disaggregated, the member or group filing the applicable long-form application shall provide the parties' partitioning or disaggregation agreement in its long-form application; (b) two or more consortium members seeking to be licensed together shall first form a legal business entity; and (c) any such entity must meet the applicable eligibility requirements in our rules for small business or entrepreneur status.³¹⁸ Applicants applying as consortia should review the *CSEA/Part 1 Report and Order* in detail and monitor any relevant future proceedings to understand how the members of the consortia will apply for a license in the event they are winning bidders.

³¹⁴ See 47 C.F.R. § 1.2107(b).

³¹⁵ See 47 C.F.R. § 1.2109(a).

³¹⁶ See 47 C.F.R. § 1.2112(b).

³¹⁷ See *CSEA/Part 1 Report and Order* at ¶¶ 51-52, petitions for reconsideration pending.

³¹⁸ See *id.*

D. Ownership Disclosure Information Report (FCC Form 602)

250. At the time it submits its long-form application (FCC Form 601), each winning bidder also must comply with the ownership reporting requirements as set forth in 47 C.F.R. §§ 1.913, 1.919, and 1.2112. An ownership disclosure record is automatically created in ULS for any applicant that submits an FCC Form 175. However, winning bidders will be required to review and confirm that it is complete and accurate as of the date of filing Form 601. Further instructions will be provided to auction winning bidders at the close of the auction.

E. Tribal Lands Bidding Credit

251. A winning bidder that intends to use its license(s) to deploy facilities and provide services to federally recognized tribal lands that are unserved by any telecommunications carrier or that have a wireline penetration rate equal to or below 85 percent is eligible to receive a tribal lands bidding credit as set forth in 47 C.F.R. §§ 1.2107 and 1.2110(f). A tribal lands bidding credit is in addition to, and separate from, any other bidding credit for which a winning bidder may qualify.

252. Unlike other bidding credits that are requested prior to the auction, a winning bidder applies for the tribal lands bidding credit **after** winning the auction when it files its long-form application (FCC Form 601). When initially filing the long-form application, the winning bidder will be required to advise the Commission whether it intends to seek a tribal lands bidding credit, for each market won in the auction, by checking the designated box(es). After stating its intent to seek a tribal lands bidding credit, the applicant will have 180 days from the close of the long-form filing window to amend its application to select the specific tribal lands to be served and provide the required tribal government certifications. Licensees receiving a tribal lands bidding credit are subject to performance criteria as set forth in 47 C.F.R. § 1.2110(f)(3)(vi).³¹⁹

253. The award of tribal lands bidding credits well after the end of bidding could reduce the auction's net winning bids to less than the proceeds required by CSEA and therefore require cancellation of the auction long after the bidding has ended. In the recently adopted *CSEA/Part 1 Report and Order*, the Commission modified its tribal lands bidding credit rules to prevent this potential result. Pursuant to the new rules, the funds available for tribal lands bidding credits will be determined by the amount by which winning bids for licenses subject to the reserve price, net of discounts the Commission takes into account when reporting net bids in the public notice closing the auction, exceed the reserve price.³²⁰ In the event that the funds available are less than the full amount for which auction winners seeking tribal lands bidding credits might qualify, each applicant eligible for a tribal lands bidding credit will receive a pro rata portion of the available funds. The ratio of (a) each applicant's pro rata credit to (b) the total funds available for tribal lands bidding credits will equal the ratio of (a) the applicant's full credit (the tribal lands bidding credit for which that applicant would have qualified absent limitations resulting from the reserve price) to (b) the aggregate maximum amount of tribal lands bidding credits for which all applicants might have qualified absent limitations resulting from the reserve price. In order to assure that funds are available for all applicants seeking tribal lands bidding credits, the Commission will calculate

³¹⁹ See also 47 C.F.R. § 1.2110(f)(3)(ii) & (vii).

³²⁰ The net bids reported in the Public Notice closing the auction reflect discounts based on final information available from the applicants at the close of bidding, e.g., size-based bidding credits and, in broadcast auctions, new entrant bidding credits. However, the Commission is not able to determine tribal lands bidding credits at the close of bidding because the deadline to submit the information required for such credits is not until nearly six months after the long-form application filing deadline. See 47 C.F.R. § 1.2110(f)(3)(ii) (describing required post-auction certifications). For purposes of calculating pro-rata tribal lands bidding credits, any repayments of tribal lands bidding credit amounts pursuant to section 1.2110(f)(3)(C)(viii), as amended, are not funds available for granting other pro-rata tribal lands bidding credits. See 47 C.F.R. § 1.2110(f)(3)(C)(viii), as amended.

the aggregate maximum amount of tribal lands bidding credits for which all applicants might have qualified by assuming that any applicant seeking a tribal lands bidding credit on its long-form application will be eligible for the largest tribal lands bidding credit possible for its bid for its license, absent limitations resulting from the reserve price. The Commission will use this ratio to determine the pro rata credit awarded when the Commission grants the license.³²¹

254. The Commission recognized that it may be able to award each applicant proving eligibility for a pro rata tribal lands bidding credit a larger amount in the event that any other applicant ultimately proves to be eligible for less than the largest possible tribal lands bidding credit. Funds available for an applicant that proves to be eligible for less than the largest possible credit can be used to increase pro rata credits for other applicants. However, the largest possible pro rata credit for an applicant only can be determined after all applications seeking a tribal lands bidding credit with respect to licenses covered by a reserve price have been finally resolved.³²² Accordingly, pro rata tribal lands bidding credits will be recalculated once all such applications have been finally resolved.

255. After all such applications have been finally resolved, the Commission will recalculate the amount of pro rata credits using the aggregate amount of actual full credits – i.e., the tribal lands bidding credits for which the applicants would have qualified absent the limitations resulting from the reserve price – rather than the hypothetical maximum aggregate amount for which all applicants might have qualified. In other words, the ratio of (a) each applicant's recalculated pro rata credit to (b) the total funds available for tribal lands bidding credits will equal the ratio of (a) the applicant's full credit (the tribal lands bidding credit for which that applicant would have qualified absent limitations resulting from the reserve price) to (b) the aggregate amount of the actual full credits. In the event that the recalculated pro rata credit is larger than the initial pro rata credit, the Commission will award the difference. If the second calculation produces a different result from the first, it will reflect the fact that when the amount of any one applicant's portion of the fixed funds available for tribal lands bidding credits decreases, the amounts of other applicants' portions should increase. An applicant's portion of the fixed funds might decrease, for example, if it reaches agreements with tribal governments regarding service for less than the full area of tribal land covered by the license. Consequently, that applicant may be eligible for a credit smaller than the largest credit possible.³²³

³²¹ When making any necessary refunds of already-made license payments, the Commission will continue to follow the usual Commission procedures, as set forth in the procedures public notice for the relevant auction. *See, e.g.,* Entertainment Unlimited, Inc. Request for Refund of Late Payment Fees for PCS Licenses Purchased in Auction No. 22, *Memorandum Opinion and Order*, 16 FCC Rcd 10030 (2001).

³²² Final resolution of all applications occurs only after any review or reconsideration of any such credit has been concluded and no opportunity remains for further review or reconsideration. It is possible that final resolution of less than all applications seeking tribal lands bidding credits may make it apparent that funds available for tribal lands bidding credits equal or exceed the full amount for which all other applications seeking tribal lands bidding credits might qualify. For example, the funds available may have been just short of the full amount for which all applicants might qualify. If one applicant withdraws its application for a tribal lands bidding credit, the funds available subsequently may exceed the full amount for which all other applicants might qualify, even though it may be some time before all other applications are finally resolved. In light of this possibility, the Commission reserved the power to award full credits when available information makes it clear that funds available exceed the full amount for which all applicants might qualify, even though all applications have not yet been fully resolved. In such circumstances, the Commission will increase the amounts of any previously awarded pro rata credits to make them full credits as well.

³²³ An applicant may be able to obtain the largest tribal lands bidding credit possible for a bid for a license even when it is not able to provide service to all of the tribal land covered by the license. If the tribal land covered by the license is less than 200 square miles, the largest tribal lands bidding credit possible for a bid for that license is not affected by the size of the area that ultimately is served. *See* 47 C.F.R. §1.2110(f)(3)(iii). Moreover, the largest (continued....)

256. For additional information on the tribal lands bidding credit, including how the amount of the credit is calculated, applicants should review the Commission's rule making proceeding regarding tribal lands bidding credits and related public notices.³²⁴ Relevant documents can be viewed on the Commission's web site by going to <http://wireless.fcc.gov/auctions> and clicking on the **Tribal Land Credits** link.

F. Default and Disqualification

257. Any high bidder that defaults or is disqualified after the close of the auction (i.e., fails to remit the required down payment within the prescribed period of time, fails to submit a timely long-form application, fails to make full payment, or is otherwise disqualified) will be subject to the payments described in 47 C.F.R. § 1.2104(g)(2). The payments include both a deficiency payment, equal to the difference between the amount of the bidder's bid and the amount of the winning bid the next time a license covering the same spectrum is won in an auction, plus an additional payment equal to a percentage of the defaulter's bid or of the subsequent winning bid, whichever is less. Pursuant to recent modifications to the rule governing default payments, the percentage of the applicable bid to be assessed as an additional payment for defaults in a particular auction will be established in advance of the auction. Accordingly, in the *Auction No. 66 Comment Public Notice*, we proposed to set the additional default payment for the auction of AWS-1 licenses at ten percent (10%) of the applicable bid. We sought comment on our proposal.

258. Some commenters supported the proposal as setting an appropriate deterrent to default.³²⁵ Others contend that there is no reason to increase the percentage of the additional default payment from three percent (3%) as provided under prior rules.³²⁶ As these comments reflect, the primary purpose of setting the additional default payment is to deter defaults.³²⁷ The precise level of deterrence provided by

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tribal lands bidding credit possible for a bid for a license is also subject to a cap based on the amount of the bid. See 47 C.F.R. § 1.2110(f)(3)(iv).

³²⁴ See generally, *Extending Wireless Telecommunications Services to Tribal Lands, Report and Order and Further Notice of Proposed Rule Making*, 15 FCC Rcd 11794 (2000), *Second Report and Order and Second Further Notice of Proposed Rulemaking*, 18 FCC Rcd 4775, 4778-79 ¶ 10 (2003), *Third Report and Order*, 19 FCC Rcd 17652 (2004). See also "Wireless Telecommunications Bureau Announces Enhancements to the Universal Licensing System to Help Winning Bidders of FCC Auctions File for Tribal Lands Bidding Credits," *Public Notice*, 16 FCC Rcd 5355 (2001); "Wireless Telecommunications Bureau Releases Additional Information Regarding the Procedures for Obtaining a Tribal Lands Bidding Credit and List of Tribal Lands," *Public Notice*, 15 FCC Rcd 24838 (2000); "Wireless Telecommunications Bureau Announces Availability of Bidding Credits for Providing Wireless Services to Qualifying Tribal Lands: Tribal Lands Bidding Credits to be Available Beginning in Auction No. 36 (800 MHz Specialized Mobile Radio (SMR) Lower 80 Channels) and in Future Auctions," *Public Notice*, 15 FCC Rcd 18351 (2000).

³²⁵ T-Mobile Comments at 9, Verizon Wireless Comments at 9.

³²⁶ MetroPCS Comments at 17-18.

³²⁷ In addition, the default payment rules create a relationship between withdrawal payments and default payments intended to encourage bidders to withdraw, and thereby permit other bidders to win the license, rather than default. MetroPCS mistakenly argues that adopting the proposal and using the same percentage for the interim withdrawal payment and the additional default payment will leave bidders indifferent to whether they withdraw or default. *Id.* at 18. This is incorrect. Commission rules in fact provide that the final liability of a defaulting bidder will exceed the liability of a bidder that withdraws an equivalent bid by the amount of the additional default payment, i.e., the final withdrawal payment equals the deficiency portion of the default payment. See, generally, 47 C.F.R. § 1.2104(g). Thus, the payments alone give bidders an incentive to withdraw bids rather than default. In addition, defaulters are prohibited from participating in future auctions until they cure their default. See 47 C.F.R. § (continued....)

any particular percentage is difficult to determine. However, continued defaults in past Commission auctions indicate that the prior level of three percent (3%) is not sufficient.³²⁸ Moreover, as noted in the *Auction No. 66 Comment Public Notice*, the public interest in rapid deployment of new advanced wireless services using licenses available for the first time in Auction No. 66 would be adversely affected by defaults.³²⁹ We continue to believe our proposal to increase the percentage from three percent (3%) to ten percent (10%) is in the public interest. We therefore adopt our proposal and set the additional default payment for the auction of AWS-1 licenses at ten percent (10%) of the applicable bid.

259. Finally, we note that in the event of a default, the Commission may re-auction the license or offer it to the next highest bidder (in descending order) at its final bid amount.³³⁰ 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 held by the applicant.³³¹

G. Refund of Remaining Upfront Payment Balance

260. All applicants that submit upfront payments but after the close of the auction are not winning bidders for a license in Auction No. 66 may be entitled to a refund of their remaining upfront payment balance after the conclusion of the auction. All refunds will be returned to the payer of record, as identified on the FCC Form 159, unless the payer submits written authorization instructing otherwise.

261. Bidders that drop out of the auction completely may be eligible for a refund of their upfront payments before the close of the auction. Qualified bidders that have exhausted all of their activity rule waivers, have no remaining bidding eligibility, and have not withdrawn a provisionally winning bid during the auction must submit a written refund request. If the applicant has completed the refund instructions electronically, then a written request for the refund is not necessary. If not, the request must be in writing and include wire transfer instructions, Taxpayer Identification Number (TIN) and FCC Registration Number (FRN). Send refund requests to:

Federal Communications Commission
Financial Operations Center
Auctions Accounting Group
Gail Glasser
445 12th Street, SW, Room 1-C864
Washington, DC 20554

262. Bidders are encouraged to file their refund information electronically using the **Refund Information** icon found on the *Auction Application Manager* page or through the **Wire Transfer for Refund Purposes** link available in various locations throughout the FCC Auction System, but bidders may also send their information by facsimile to the Auctions Accounting Group at (202) 418-2843. Once the information has been approved, a refund will be sent to the party identified in the refund information.

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1.2105(a)(2)(x). Even after curing a default, former defaulters must pay an additional upfront payment to participate in Commission auctions. See 47 C.F.R. § 1.2106(a).

³²⁸ *CSEA/Part 1 Report and Order* at ¶ 29.

³²⁹ *Auction No. 66 Comment Public Notice* at 21-22.

³³⁰ See 47 C.F.R. § 1.2109(b) and (c).

³³¹ 47 C.F.R. § 1.2109(d).

NOTE: Refund processing generally takes up to two weeks to complete. Bidders with questions about refunds should contact Gail Glasser at (202) 418-0578.

VI. CONTACTS

Media Contact:

For press inquiries: Chelsea Fallon (202) 418-7991

Auctions and Spectrum Access Division:

For legal questions: Scott Mackoul at (202) 418-0660

For general auction questions: Roy Knowles or Lisa Stover at (717) 338-2888

Broadband Division:

For legal and technical questions: David Hu or John Spencer at (202) 418-0200

For licensing questions: Beth Fishel at (717) 338-2649

To request materials in accessible formats (Braille, large print, electronic files, audio format) for people with disabilities, send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-0432 (TTY).

Action by the Commission on April 12, 2006:

-- FCC --

Auction No. 66 - Advanced Wireless Services (AWS-1)
 FCC 06-47
 Attachment A - All License Summary

Market Area	Totals By Channel Block*			
	Total Number of Licenses	Total Bidding Units	Total Upfront Payment	Total of Minimum Opening Bid Amounts
Cellular Market Area (CMA) Licenses				
Channel Block A (20 MHz)	734	259,332,500	\$259,332,500	\$259,332,500
Economic Area (EA) (or Basic Economic Area (BEA)) Licenses				
Channel Block B (20 MHz)	176	259,342,000	\$259,342,000	\$259,342,000
Channel Block C (10 MHz)	176	129,678,000	\$129,678,000	\$129,678,000
Total EA Licenses	352	389,020,000	\$389,020,000	\$389,020,000
Regional Economic Area Grouping (REAG) Licenses				
Channel Block D (10 MHz)	12	129,672,000	\$129,672,000	\$129,672,000
Channel Block E (10 MHz)	12	129,672,000	\$129,672,000	\$129,672,000
Channel Block F (20 MHz)	12	259,341,000	\$259,341,000	\$259,341,000
Total REAG Licenses	36	518,685,000	\$518,685,000	\$518,685,000
Total Licenses	1,122	1,167,037,500	\$1,167,037,500	\$1,167,037,500
Total Aggregate Reserve Price **	\$1,029,534,343.20			

* Totals may differ slightly for blocks of the same bandwidth due to rounding.

** See Section I.A. "Introduction" of the Auction No. 66 Procedures Public Notice.

Auction No. 66 - Advanced Wireless Services (AWS-1)
 FCC 06-47
 Attachment A - Cellular Market Area (CMA) Licenses

Market Number	Description	License Number	Frequencies (MHz)	Channel Block	Population	Bandwidth (MHz)	Bidding Units	Upfront Payment	Minimum Opening Bid
Cellular Market Area (CMA) Licenses									
CMA001	New York-Newark, NY-NJ	AW-CMA001-A	1710-1720 / 2110-2120	A	16,134,166	20	16,134,000	\$16,134,000	\$16,134,000
CMA002	Los Angeles-Anaheim, CA	AW-CMA002-A	1710-1720 / 2110-2120	A	15,620,448	20	15,620,000	\$15,620,000	\$15,620,000
CMA003	Chicago, IL	AW-CMA003-A	1710-1720 / 2110-2120	A	8,091,720	20	8,092,000	\$8,092,000	\$8,092,000
CMA004	Philadelphia, PA	AW-CMA004-A	1710-1720 / 2110-2120	A	5,036,646	20	5,037,000	\$5,037,000	\$5,037,000
CMA005	Detroit-Ann Arbor, MI	AW-CMA005-A	1710-1720 / 2110-2120	A	4,775,452	20	4,775,000	\$4,775,000	\$4,775,000
CMA006	Boston-Brockton-Lowell, MA-NH	AW-CMA006-A	1710-1720 / 2110-2120	A	4,279,111	20	4,279,000	\$4,279,000	\$4,279,000
CMA007	San Francisco-Oakland, CA	AW-CMA007-A	1710-1720 / 2110-2120	A	4,123,740	20	4,124,000	\$4,124,000	\$4,124,000
CMA008	Washington, DC-MD-VA	AW-CMA008-A	1710-1720 / 2110-2120	A	4,182,658	20	4,183,000	\$4,183,000	\$4,183,000
CMA009	Dallas-Fort Worth, TX	AW-CMA009-A	1710-1720 / 2110-2120	A	5,120,721	20	5,121,000	\$5,121,000	\$5,121,000
CMA010	Houston, TX	AW-CMA010-A	1710-1720 / 2110-2120	A	4,393,382	20	4,393,000	\$4,393,000	\$4,393,000
CMA011	St. Louis, MO-IL	AW-CMA011-A	1710-1720 / 2110-2120	A	2,518,470	20	2,518,000	\$2,518,000	\$2,518,000
CMA012	Miami-Fort Lauderdale, FL	AW-CMA012-A	1710-1720 / 2110-2120	A	3,876,380	20	3,876,000	\$3,876,000	\$3,876,000
CMA013	Pittsburgh, PA	AW-CMA013-A	1710-1720 / 2110-2120	A	2,035,968	20	2,036,000	\$2,036,000	\$2,036,000
CMA014	Baltimore, MD	AW-CMA014-A	1710-1720 / 2110-2120	A	2,512,431	20	2,512,000	\$2,512,000	\$2,512,000
CMA015	Minneapolis-St. Paul, MN-WI	AW-CMA015-A	1710-1720 / 2110-2120	A	2,836,298	20	2,836,000	\$2,836,000	\$2,836,000
CMA016	Cleveland, OH	AW-CMA016-A	1710-1720 / 2110-2120	A	1,863,479	20	1,863,000	\$1,863,000	\$1,863,000
CMA017	Atlanta, GA	AW-CMA017-A	1710-1720 / 2110-2120	A	3,751,674	20	3,752,000	\$3,752,000	\$3,752,000
CMA018	San Diego, CA	AW-CMA018-A	1710-1720 / 2110-2120	A	2,813,833	20	2,814,000	\$2,814,000	\$2,814,000
CMA019	Denver-Boulder, CO	AW-CMA019-A	1710-1720 / 2110-2120	A	2,405,327	20	2,405,000	\$2,405,000	\$2,405,000
CMA020	Seattle-Everett, WA	AW-CMA020-A	1710-1720 / 2110-2120	A	2,343,058	20	2,343,000	\$2,343,000	\$2,343,000
CMA021	Milwaukee, WI	AW-CMA021-A	1710-1720 / 2110-2120	A	1,500,741	20	1,501,000	\$1,501,000	\$1,501,000
CMA022	Tampa-St. Petersburg, FL	AW-CMA022-A	1710-1720 / 2110-2120	A	2,265,195	20	2,265,000	\$2,265,000	\$2,265,000
CMA023	Cincinnati, OH-KY-IN	AW-CMA023-A	1710-1720 / 2110-2120	A	1,553,843	20	1,554,000	\$1,554,000	\$1,554,000
CMA024	Kansas City, MO-KS	AW-CMA024-A	1710-1720 / 2110-2120	A	1,627,081	20	1,627,000	\$1,627,000	\$1,627,000
CMA025	Buffalo, NY	AW-CMA025-A	1710-1720 / 2110-2120	A	1,170,111	20	1,170,000	\$1,170,000	\$1,170,000
CMA026	Phoenix, AZ	AW-CMA026-A	1710-1720 / 2110-2120	A	3,072,149	20	3,072,000	\$3,072,000	\$3,072,000
CMA027	San Jose, CA	AW-CMA027-A	1710-1720 / 2110-2120	A	1,682,585	20	1,683,000	\$1,683,000	\$1,683,000
CMA028	Indianapolis, IN	AW-CMA028-A	1710-1720 / 2110-2120	A	1,474,128	20	1,474,000	\$1,474,000	\$1,474,000
CMA029	New Orleans, LA	AW-CMA029-A	1710-1720 / 2110-2120	A	1,198,637	20	1,199,000	\$1,199,000	\$1,199,000
CMA030	Portland, OR-WA	AW-CMA030-A	1710-1720 / 2110-2120	A	1,789,457	20	1,789,000	\$1,789,000	\$1,789,000
CMA031	Columbus, OH	AW-CMA031-A	1710-1720 / 2110-2120	A	1,394,666	20	1,395,000	\$1,395,000	\$1,395,000
CMA032	Hartford-Bristol, CT	AW-CMA032-A	1710-1720 / 2110-2120	A	1,148,618	20	1,149,000	\$1,149,000	\$1,149,000
CMA033	San Antonio, TX	AW-CMA033-A	1710-1720 / 2110-2120	A	1,559,975	20	1,560,000	\$1,560,000	\$1,560,000
CMA034	Rochester, NY	AW-CMA034-A	1710-1720 / 2110-2120	A	1,037,831	20	1,038,000	\$1,038,000	\$1,038,000
CMA035	Sacramento, CA	AW-CMA035-A	1710-1720 / 2110-2120	A	1,640,558	20	1,641,000	\$1,641,000	\$1,641,000
CMA036	Memphis, TN-AR-MS	AW-CMA036-A	1710-1720 / 2110-2120	A	1,106,808	20	1,107,000	\$1,107,000	\$1,107,000
CMA037	Louisville, KY-IN	AW-CMA037-A	1710-1720 / 2110-2120	A	968,313	20	968,000	\$968,000	\$968,000
CMA038	Providence-Warwick, RI	AW-CMA038-A	1710-1720 / 2110-2120	A	962,886	20	963,000	\$963,000	\$963,000
CMA039	Salt Lake City-Ogden, UT	AW-CMA039-A	1710-1720 / 2110-2120	A	1,374,649	20	1,375,000	\$1,375,000	\$1,375,000
CMA040	Dayton, OH	AW-CMA040-A	1710-1720 / 2110-2120	A	848,153	20	848,000	\$848,000	\$848,000
CMA041	Birmingham, AL	AW-CMA041-A	1710-1720 / 2110-2120	A	940,795	20	941,000	\$941,000	\$941,000

Auction No. 66 - Advanced Wireless Services (AWS-1)
 FCC 06-47
 Attachment A - Cellular Market Area (CMA) Licenses

Market Number	Description	License Number	Frequencies (MHz)	Channel Block	Population	Bandwidth (MHz)	Bidding Units	Upfront Payment	Minimum Opening Bid
Cellular Market Area (CMA) Licenses									
CMA042	Bridgeport-Stamford-Danbury CT	AW-CMA042-A	1710-1720 / 2110-2120	A	882,567	20	883,000	\$883,000	\$883,000
CMA043	Norfolk-Virginia Beach, VA-NC	AW-CMA043-A	1710-1720 / 2110-2120	A	1,041,276	20	1,041,000	\$1,041,000	\$1,041,000
CMA044	Albany-Schenectady-Troy, NY	AW-CMA044-A	1710-1720 / 2110-2120	A	844,001	20	844,000	\$844,000	\$844,000
CMA045	Oklahoma City, OK	AW-CMA045-A	1710-1720 / 2110-2120	A	1,049,422	20	1,049,000	\$1,049,000	\$1,049,000
CMA046	Nashville-Davidson, TN	AW-CMA046-A	1710-1720 / 2110-2120	A	1,231,311	20	1,231,000	\$1,231,000	\$1,231,000
CMA047	Greensboro-Winston-Salem, NC	AW-CMA047-A	1710-1720 / 2110-2120	A	1,085,874	20	1,086,000	\$1,086,000	\$1,086,000
CMA048	Toledo, OH-MI	AW-CMA048-A	1710-1720 / 2110-2120	A	805,133	20	805,000	\$805,000	\$805,000
CMA049	New Haven-Waterbury-Meriden CT	AW-CMA049-A	1710-1720 / 2110-2120	A	824,008	20	824,000	\$824,000	\$824,000
CMA050	Honolulu, HI	AW-CMA050-A	1710-1720 / 2110-2120	A	876,156	20	876,000	\$876,000	\$876,000
CMA051	Jacksonville, FL	AW-CMA051-A	1710-1720 / 2110-2120	A	1,122,750	20	1,123,000	\$1,123,000	\$1,123,000
CMA052	Akron, OH	AW-CMA052-A	1710-1720 / 2110-2120	A	694,960	20	695,000	\$695,000	\$695,000
CMA053	Syracuse, NY	AW-CMA053-A	1710-1720 / 2110-2120	A	650,154	20	650,000	\$650,000	\$650,000
CMA054	Gary-Hammond-East Chicago, IN	AW-CMA054-A	1710-1720 / 2110-2120	A	631,362	20	631,000	\$631,000	\$631,000
CMA055	Worcester-Leominster, MA	AW-CMA055-A	1710-1720 / 2110-2120	A	750,963	20	751,000	\$751,000	\$751,000
CMA056	Northeast Pennsylvania, PA	AW-CMA056-A	1710-1720 / 2110-2120	A	671,232	20	671,000	\$671,000	\$671,000
CMA057	Tulsa, OK	AW-CMA057-A	1710-1720 / 2110-2120	A	841,604	20	842,000	\$842,000	\$842,000
CMA058	Allentown-Bethlehem, PA-NJ	AW-CMA058-A	1710-1720 / 2110-2120	A	740,395	20	740,000	\$740,000	\$740,000
CMA059	Richmond, VA	AW-CMA059-A	1710-1720 / 2110-2120	A	865,941	20	866,000	\$866,000	\$866,000
CMA060	Orlando, FL	AW-CMA060-A	1710-1720 / 2110-2120	A	1,434,033	20	1,434,000	\$1,434,000	\$1,434,000
CMA061	Charlotte-Gastonia, NC	AW-CMA061-A	1710-1720 / 2110-2120	A	1,009,496	20	1,009,000	\$1,009,000	\$1,009,000
CMA062	New Brunswick-Perth Amboy, NJ	AW-CMA062-A	1710-1720 / 2110-2120	A	750,162	20	750,000	\$750,000	\$750,000
CMA063	Springfield-Holyoke, MA	AW-CMA063-A	1710-1720 / 2110-2120	A	608,479	20	608,000	\$608,000	\$608,000
CMA064	Grand Rapids, MI	AW-CMA064-A	1710-1720 / 2110-2120	A	812,649	20	813,000	\$813,000	\$813,000
CMA065	Omaha, NE-IA	AW-CMA065-A	1710-1720 / 2110-2120	A	673,884	20	674,000	\$674,000	\$674,000
CMA066	Youngstown-Warren, OH	AW-CMA066-A	1710-1720 / 2110-2120	A	482,671	20	483,000	\$483,000	\$483,000
CMA067	Greenville-Spartanburg, SC	AW-CMA067-A	1710-1720 / 2110-2120	A	744,164	20	744,000	\$744,000	\$744,000
CMA068	Flint, MI	AW-CMA068-A	1710-1720 / 2110-2120	A	507,828	20	508,000	\$508,000	\$508,000
CMA069	Wilmington, DE-NJ-MD	AW-CMA069-A	1710-1720 / 2110-2120	A	650,501	20	651,000	\$651,000	\$651,000
CMA070	Long Branch-Asbury Park, NJ	AW-CMA070-A	1710-1720 / 2110-2120	A	615,301	20	615,000	\$615,000	\$615,000
CMA071	Raleigh-Durham, NC	AW-CMA071-A	1710-1720 / 2110-2120	A	969,387	20	969,000	\$969,000	\$969,000
CMA072	West Palm Beach-Boca Raton, FL	AW-CMA072-A	1710-1720 / 2110-2120	A	1,131,184	20	1,131,000	\$1,131,000	\$1,131,000
CMA073	Oxnard-Simi Valley-Ventura, CA	AW-CMA073-A	1710-1720 / 2110-2120	A	753,197	20	753,000	\$753,000	\$753,000
CMA074	Fresno, CA	AW-CMA074-A	1710-1720 / 2110-2120	A	799,407	20	799,000	\$799,000	\$799,000
CMA075	Austin, TX	AW-CMA075-A	1710-1720 / 2110-2120	A	1,159,836	20	1,160,000	\$1,160,000	\$1,160,000
CMA076	New Bedford-Fall River, MA	AW-CMA076-A	1710-1720 / 2110-2120	A	534,678	20	535,000	\$535,000	\$535,000
CMA077	Tucson, AZ	AW-CMA077-A	1710-1720 / 2110-2120	A	843,746	20	844,000	\$844,000	\$844,000
CMA078	Lansing-East Lansing, MI	AW-CMA078-A	1710-1720 / 2110-2120	A	509,246	20	509,000	\$509,000	\$509,000
CMA079	Knoxville, TN	AW-CMA079-A	1710-1720 / 2110-2120	A	576,993	20	577,000	\$577,000	\$577,000
CMA080	Baton Rouge, LA	AW-CMA080-A	1710-1720 / 2110-2120	A	602,894	20	603,000	\$603,000	\$603,000
CMA081	El Paso, TX	AW-CMA081-A	1710-1720 / 2110-2120	A	679,622	20	680,000	\$680,000	\$680,000
CMA082	Tacoma, WA	AW-CMA082-A	1710-1720 / 2110-2120	A	700,820	20	701,000	\$701,000	\$701,000

Auction No. 66 - Advanced Wireless Services (AWS-1)
 FCC 06-47
 Attachment A - Cellular Market Area (CMA) Licenses

Market Number	Description	License Number	Frequencies (MHz)	Channel Block	Population	Bandwidth (MHz)	Bidding Units	Upfront Payment	Minimum Opening Bid
Cellular Market Area (CMA) Licenses									
CMA083	Mobile, AL	AW-CMA083-A	1710-1720 / 2110-2120	A	540,258	20	540,000	\$540,000	\$540,000
CMA084	Harrisburg, PA	AW-CMA084-A	1710-1720 / 2110-2120	A	509,074	20	509,000	\$509,000	\$509,000
CMA085	Johnson City-Kingsport, TN-VA	AW-CMA085-A	1710-1720 / 2110-2120	A	480,091	20	480,000	\$480,000	\$480,000
CMA086	Albuquerque, NM	AW-CMA086-A	1710-1720 / 2110-2120	A	646,586	20	647,000	\$647,000	\$647,000
CMA087	Canton, OH	AW-CMA087-A	1710-1720 / 2110-2120	A	406,934	20	407,000	\$407,000	\$407,000
CMA088	Chattanooga, TN-GA	AW-CMA088-A	1710-1720 / 2110-2120	A	476,531	20	477,000	\$477,000	\$477,000
CMA089	Wichita, KS	AW-CMA089-A	1710-1720 / 2110-2120	A	512,351	20	512,000	\$512,000	\$512,000
CMA090	Charleston, SC	AW-CMA090-A	1710-1720 / 2110-2120	A	549,033	20	549,000	\$549,000	\$549,000
CMA091	San Juan-Caguas, PR	AW-CMA091-A	1710-1720 / 2110-2120	A	2,176,135	20	2,176,000	\$2,176,000	\$2,176,000
CMA092	Little Rock, AR	AW-CMA092-A	1710-1720 / 2110-2120	A	583,845	20	584,000	\$584,000	\$584,000
CMA093	Las Vegas, NV	AW-CMA093-A	1710-1720 / 2110-2120	A	1,375,765	20	1,376,000	\$1,376,000	\$1,376,000
CMA094	Saginaw-Bay City-Midland, MI	AW-CMA094-A	1710-1720 / 2110-2120	A	403,070	20	403,000	\$403,000	\$403,000
CMA095	Columbia, SC	AW-CMA095-A	1710-1720 / 2110-2120	A	536,691	20	537,000	\$537,000	\$537,000
CMA096	Fort Wayne, IN	AW-CMA096-A	1710-1720 / 2110-2120	A	464,066	20	464,000	\$464,000	\$464,000
CMA097	Bakersfield, CA	AW-CMA097-A	1710-1720 / 2110-2120	A	661,645	20	662,000	\$662,000	\$662,000
CMA098	Davenport-Rock Island, IA-IL	AW-CMA098-A	1710-1720 / 2110-2120	A	359,062	20	359,000	\$359,000	\$359,000
CMA099	York, PA	AW-CMA099-A	1710-1720 / 2110-2120	A	473,043	20	473,000	\$473,000	\$473,000
CMA100	Shreveport, LA	AW-CMA100-A	1710-1720 / 2110-2120	A	392,302	20	392,000	\$392,000	\$392,000
CMA101	Beaumont-Port Arthur, TX	AW-CMA101-A	1710-1720 / 2110-2120	A	385,090	20	385,000	\$385,000	\$385,000
CMA102	Des Moines, IA	AW-CMA102-A	1710-1720 / 2110-2120	A	456,022	20	456,000	\$456,000	\$456,000
CMA103	Peoria, IL	AW-CMA103-A	1710-1720 / 2110-2120	A	347,387	20	347,000	\$347,000	\$347,000
CMA104	Newport News-Hampton, VA	AW-CMA104-A	1710-1720 / 2110-2120	A	489,330	20	489,000	\$489,000	\$489,000
CMA105	Lancaster, PA	AW-CMA105-A	1710-1720 / 2110-2120	A	470,658	20	471,000	\$471,000	\$471,000
CMA106	Jackson, MS	AW-CMA106-A	1710-1720 / 2110-2120	A	440,801	20	441,000	\$441,000	\$441,000
CMA107	Stockton, CA	AW-CMA107-A	1710-1720 / 2110-2120	A	563,598	20	564,000	\$564,000	\$564,000
CMA108	Augusta, GA-SC	AW-CMA108-A	1710-1720 / 2110-2120	A	452,846	20	453,000	\$453,000	\$453,000
CMA109	Spokane, WA	AW-CMA109-A	1710-1720 / 2110-2120	A	417,939	20	418,000	\$418,000	\$418,000
CMA110	Huntington-Ashland, WV-KY-OH	AW-CMA110-A	1710-1720 / 2110-2120	A	315,538	20	316,000	\$316,000	\$316,000
CMA111	Vallejo-Fairfield-Napa, CA	AW-CMA111-A	1710-1720 / 2110-2120	A	518,821	20	519,000	\$519,000	\$519,000
CMA112	Corpus Christi, TX	AW-CMA112-A	1710-1720 / 2110-2120	A	380,783	20	381,000	\$381,000	\$381,000
CMA113	Madison, WI	AW-CMA113-A	1710-1720 / 2110-2120	A	426,526	20	427,000	\$427,000	\$427,000
CMA114	Lakeland-Winter Haven, FL	AW-CMA114-A	1710-1720 / 2110-2120	A	483,924	20	484,000	\$484,000	\$484,000
CMA115	Utica-Rome, NY	AW-CMA115-A	1710-1720 / 2110-2120	A	299,896	20	300,000	\$300,000	\$300,000
CMA116	Lexington-Fayette, KY	AW-CMA116-A	1710-1720 / 2110-2120	A	408,326	20	408,000	\$408,000	\$408,000
CMA117	Colorado Springs, CO	AW-CMA117-A	1710-1720 / 2110-2120	A	537,484	20	537,000	\$537,000	\$537,000
CMA118	Reading, PA	AW-CMA118-A	1710-1720 / 2110-2120	A	373,638	20	374,000	\$374,000	\$374,000
CMA119	Evansville, IN-KY	AW-CMA119-A	1710-1720 / 2110-2120	A	328,695	20	329,000	\$329,000	\$329,000
CMA120	Huntsville, AL	AW-CMA120-A	1710-1720 / 2110-2120	A	424,607	20	425,000	\$425,000	\$425,000
CMA121	Trenton, NJ	AW-CMA121-A	1710-1720 / 2110-2120	A	350,761	20	351,000	\$351,000	\$351,000
CMA122	Binghamton, NY	AW-CMA122-A	1710-1720 / 2110-2120	A	294,558	20	295,000	\$295,000	\$295,000
CMA123	Santa Rosa-Petaluma, CA	AW-CMA123-A	1710-1720 / 2110-2120	A	458,614	20	459,000	\$459,000	\$459,000

Auction No. 66 - Advanced Wireless Services (AWS-1)
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Attachment A - Cellular Market Area (CMA) Licenses

Market Number	Description	License Number	Frequencies (MHz)	Channel Block	Population	Bandwidth (MHz)	Bidding Units	Upfront Payment	Minimum Opening Bid
Cellular Market Area (CMA) Licenses									
CMA124	Santa Barbara, CA	AW-CMA124-A	1710-1720 / 2110-2120	A	399,347	20	399,000	\$399,000	\$399,000
CMA125	Appleton-Oskosh-Neenah, WI	AW-CMA125-A	1710-1720 / 2110-2120	A	358,365	20	358,000	\$358,000	\$358,000
CMA126	Salinas-Seaside-Monterey, CA	AW-CMA126-A	1710-1720 / 2110-2120	A	401,762	20	402,000	\$402,000	\$402,000
CMA127	Pensacola, FL	AW-CMA127-A	1710-1720 / 2110-2120	A	412,153	20	412,000	\$412,000	\$412,000
CMA128	McAllen-Edinburg-Mission, TX	AW-CMA128-A	1710-1720 / 2110-2120	A	569,463	20	569,000	\$569,000	\$569,000
CMA129	South Bend-Mishawaka, IN	AW-CMA129-A	1710-1720 / 2110-2120	A	310,687	20	311,000	\$311,000	\$311,000
CMA130	Erie, PA	AW-CMA130-A	1710-1720 / 2110-2120	A	280,843	20	281,000	\$281,000	\$281,000
CMA131	Rockford, IL	AW-CMA131-A	1710-1720 / 2110-2120	A	320,204	20	320,000	\$320,000	\$320,000
CMA132	Kalamazoo, MI	AW-CMA132-A	1710-1720 / 2110-2120	A	314,866	20	315,000	\$315,000	\$315,000
CMA133	Manchester-Nashua, NH	AW-CMA133-A	1710-1720 / 2110-2120	A	380,841	20	381,000	\$381,000	\$381,000
CMA134	Atlantic City, NJ	AW-CMA134-A	1710-1720 / 2110-2120	A	354,878	20	355,000	\$355,000	\$355,000
CMA135	Eugene-Springfield, OR	AW-CMA135-A	1710-1720 / 2110-2120	A	322,959	20	323,000	\$323,000	\$323,000
CMA136	Lorain-Elyria, OH	AW-CMA136-A	1710-1720 / 2110-2120	A	284,664	20	285,000	\$285,000	\$285,000
CMA137	Melbourne-Titusville, FL	AW-CMA137-A	1710-1720 / 2110-2120	A	476,230	20	476,000	\$476,000	\$476,000
CMA138	Macon-Warner Robins, GA	AW-CMA138-A	1710-1720 / 2110-2120	A	322,549	20	323,000	\$323,000	\$323,000
CMA139	Montgomery, AL	AW-CMA139-A	1710-1720 / 2110-2120	A	333,055	20	333,000	\$333,000	\$333,000
CMA140	Charleston, WV	AW-CMA140-A	1710-1720 / 2110-2120	A	251,662	20	252,000	\$252,000	\$252,000
CMA141	Duluth, MN-WI	AW-CMA141-A	1710-1720 / 2110-2120	A	243,815	20	244,000	\$244,000	\$244,000
CMA142	Modesto, CA	AW-CMA142-A	1710-1720 / 2110-2120	A	446,997	20	447,000	\$447,000	\$447,000
CMA143	Johnstown, PA	AW-CMA143-A	1710-1720 / 2110-2120	A	232,621	20	233,000	\$233,000	\$233,000
CMA144	Orange County, NY	AW-CMA144-A	1710-1720 / 2110-2120	A	341,367	20	341,000	\$341,000	\$341,000
CMA145	Hamilton-Middletown, OH	AW-CMA145-A	1710-1720 / 2110-2120	A	332,807	20	333,000	\$333,000	\$333,000
CMA146	Daytona Beach, FL	AW-CMA146-A	1710-1720 / 2110-2120	A	443,343	20	443,000	\$443,000	\$443,000
CMA147	Ponce, PR	AW-CMA147-A	1710-1720 / 2110-2120	A	264,919	20	265,000	\$265,000	\$265,000
CMA148	Salem, OR	AW-CMA148-A	1710-1720 / 2110-2120	A	347,214	20	347,000	\$347,000	\$347,000
CMA149	Fayetteville, NC	AW-CMA149-A	1710-1720 / 2110-2120	A	302,963	20	303,000	\$303,000	\$303,000
CMA150	Visalia-Tulare-Porterville, CA	AW-CMA150-A	1710-1720 / 2110-2120	A	368,021	20	368,000	\$368,000	\$368,000
CMA151	Poughkeepsie, NY	AW-CMA151-A	1710-1720 / 2110-2120	A	280,150	20	280,000	\$280,000	\$280,000
CMA152	Portland, ME	AW-CMA152-A	1710-1720 / 2110-2120	A	300,826	20	301,000	\$301,000	\$301,000
CMA153	Columbus, GA-AL	AW-CMA153-A	1710-1720 / 2110-2120	A	250,929	20	251,000	\$251,000	\$251,000
CMA154	New London-Norwich, CT	AW-CMA154-A	1710-1720 / 2110-2120	A	259,088	20	259,000	\$259,000	\$259,000
CMA155	Savannah, GA	AW-CMA155-A	1710-1720 / 2110-2120	A	293,000	20	293,000	\$293,000	\$293,000
CMA156	Portsmouth-Rochester, NH-ME	AW-CMA156-A	1710-1720 / 2110-2120	A	298,975	20	299,000	\$299,000	\$299,000
CMA157	Roanoke, VA	AW-CMA157-A	1710-1720 / 2110-2120	A	241,023	20	241,000	\$241,000	\$241,000
CMA158	Lima, OH	AW-CMA158-A	1710-1720 / 2110-2120	A	219,469	20	219,000	\$219,000	\$219,000
CMA159	Provo-Orem, UT	AW-CMA159-A	1710-1720 / 2110-2120	A	368,536	20	369,000	\$369,000	\$369,000
CMA160	Killeen-Temple, TX	AW-CMA160-A	1710-1720 / 2110-2120	A	312,952	20	313,000	\$313,000	\$313,000
CMA161	Lubbock, TX	AW-CMA161-A	1710-1720 / 2110-2120	A	242,628	20	243,000	\$243,000	\$243,000
CMA162	Brownsville-Harlingen, TX	AW-CMA162-A	1710-1720 / 2110-2120	A	335,227	20	335,000	\$335,000	\$335,000
CMA163	Springfield, MO	AW-CMA163-A	1710-1720 / 2110-2120	A	294,676	20	295,000	\$295,000	\$295,000
CMA164	Fort Myers, FL	AW-CMA164-A	1710-1720 / 2110-2120	A	440,888	20	441,000	\$441,000	\$441,000

Auction No. 66 - Advanced Wireless Services (AWS-1)
 FCC 06-47
 Attachment A - Cellular Market Area (CMA) Licenses

Market Number	Description	License Number	Frequencies (MHz)	Channel Block	Population	Bandwidth (MHz)	Bidding Units	Upfront Payment	Minimum Opening Bid
Cellular Market Area (CMA) Licenses									
CMA165	Fort Smith AR-OK	AW-CMA165-A	1710-1720 / 2110-2120	A	255,399	20	255,000	\$255,000	\$255,000
CMA166	Hickory, NC	AW-CMA166-A	1710-1720 / 2110-2120	A	264,436	20	264,000	\$264,000	\$264,000
CMA167	Sarasota, FL	AW-CMA167-A	1710-1720 / 2110-2120	A	325,957	20	326,000	\$326,000	\$326,000
CMA168	Tallahassee, FL	AW-CMA168-A	1710-1720 / 2110-2120	A	307,402	20	307,000	\$307,000	\$307,000
CMA169	Mayaguez, PR	AW-CMA169-A	1710-1720 / 2110-2120	A	227,412	20	227,000	\$227,000	\$227,000
CMA170	Galveston-Texas City, TX	AW-CMA170-A	1710-1720 / 2110-2120	A	250,158	20	250,000	\$250,000	\$250,000
CMA171	Reno, NV	AW-CMA171-A	1710-1720 / 2110-2120	A	339,486	20	339,000	\$339,000	\$339,000
CMA172	Lincoln, NE	AW-CMA172-A	1710-1720 / 2110-2120	A	250,291	20	250,000	\$250,000	\$250,000
CMA173	Biloxi-Gulfport, MS	AW-CMA173-A	1710-1720 / 2110-2120	A	246,190	20	246,000	\$246,000	\$246,000
CMA174	Lafayette, LA	AW-CMA174-A	1710-1720 / 2110-2120	A	239,086	20	239,000	\$239,000	\$239,000
CMA175	Santa Cruz, CA	AW-CMA175-A	1710-1720 / 2110-2120	A	255,602	20	256,000	\$256,000	\$256,000
CMA176	Springfield, IL	AW-CMA176-A	1710-1720 / 2110-2120	A	201,437	20	201,000	\$201,000	\$201,000
CMA177	Battle Creek, MI	AW-CMA177-A	1710-1720 / 2110-2120	A	194,740	20	195,000	\$195,000	\$195,000
CMA178	Wheeling, WV-OH	AW-CMA178-A	1710-1720 / 2110-2120	A	153,172	20	153,000	\$153,000	\$153,000
CMA179	Topeka, KS	AW-CMA179-A	1710-1720 / 2110-2120	A	205,009	20	205,000	\$205,000	\$205,000
CMA180	Springfield, OH	AW-CMA180-A	1710-1720 / 2110-2120	A	183,632	20	184,000	\$184,000	\$184,000
CMA181	Muskegon, MI	AW-CMA181-A	1710-1720 / 2110-2120	A	197,073	20	197,000	\$197,000	\$197,000
CMA182	Fayetteville-Springdale, AR	AW-CMA182-A	1710-1720 / 2110-2120	A	311,121	20	311,000	\$311,000	\$311,000
CMA183	Asheville, NC	AW-CMA183-A	1710-1720 / 2110-2120	A	225,965	20	226,000	\$226,000	\$226,000
CMA184	Houma-Thibodaux, LA	AW-CMA184-A	1710-1720 / 2110-2120	A	194,477	20	194,000	\$194,000	\$194,000
CMA185	Terre Haute, IN	AW-CMA185-A	1710-1720 / 2110-2120	A	170,943	20	171,000	\$171,000	\$171,000
CMA186	Green Bay, WI	AW-CMA186-A	1710-1720 / 2110-2120	A	226,778	20	227,000	\$227,000	\$227,000
CMA187	Anchorage, AK	AW-CMA187-A	1710-1720 / 2110-2120	A	260,283	20	260,000	\$260,000	\$260,000
CMA188	Amarillo, TX	AW-CMA188-A	1710-1720 / 2110-2120	A	217,858	20	218,000	\$218,000	\$218,000
CMA189	Racine, WI	AW-CMA189-A	1710-1720 / 2110-2120	A	188,831	20	189,000	\$189,000	\$189,000
CMA190	Boise City, ID	AW-CMA190-A	1710-1720 / 2110-2120	A	300,904	20	301,000	\$301,000	\$301,000
CMA191	Yakima, WA	AW-CMA191-A	1710-1720 / 2110-2120	A	222,581	20	223,000	\$223,000	\$223,000
CMA192	Gainesville, FL	AW-CMA192-A	1710-1720 / 2110-2120	A	244,043	20	244,000	\$244,000	\$244,000
CMA193	Benton Harbor, MI	AW-CMA193-A	1710-1720 / 2110-2120	A	162,453	20	162,000	\$162,000	\$162,000
CMA194	Waco, TX	AW-CMA194-A	1710-1720 / 2110-2120	A	213,517	20	214,000	\$214,000	\$214,000
CMA195	Cedar Rapids, IA	AW-CMA195-A	1710-1720 / 2110-2120	A	191,701	20	192,000	\$192,000	\$192,000
CMA196	Champaign-Urbana-Rantoul, IL	AW-CMA196-A	1710-1720 / 2110-2120	A	179,669	20	180,000	\$180,000	\$180,000
CMA197	Lake Charles, LA	AW-CMA197-A	1710-1720 / 2110-2120	A	183,577	20	184,000	\$184,000	\$184,000
CMA198	St. Cloud, MN	AW-CMA198-A	1710-1720 / 2110-2120	A	231,809	20	232,000	\$232,000	\$232,000
CMA199	Steubenville-Weirton, OH-WV	AW-CMA199-A	1710-1720 / 2110-2120	A	132,008	20	132,000	\$132,000	\$132,000
CMA200	Parkersburg-Marietta, OH-WV	AW-CMA200-A	1710-1720 / 2110-2120	A	157,110	20	157,000	\$157,000	\$157,000
CMA201	Waterloo-Cedar Falls, IA	AW-CMA201-A	1710-1720 / 2110-2120	A	151,337	20	151,000	\$151,000	\$151,000
CMA202	Arecibo, PR	AW-CMA202-A	1710-1720 / 2110-2120	A	199,750	20	200,000	\$200,000	\$200,000
CMA203	Lynchburg, VA	AW-CMA203-A	1710-1720 / 2110-2120	A	161,946	20	162,000	\$162,000	\$162,000
CMA204	Aguadilla, PR	AW-CMA204-A	1710-1720 / 2110-2120	A	190,868	20	191,000	\$191,000	\$191,000
CMA205	Alexandria, LA	AW-CMA205-A	1710-1720 / 2110-2120	A	145,035	20	145,000	\$145,000	\$145,000

Auction No. 66 - Advanced Wireless Services (AWS-1)
 FCC 06-47
 Attachment A - Cellular Market Area (CMA) Licenses

Market Number	Description	License Number	Frequencies (MHz)	Channel Block	Population	Bandwidth (MHz)	Bidding Units	Upfront Payment	Minimum Opening Bid
Cellular Market Area (CMA) Licenses									
CMA206	Longview-Marshall, TX	AW-CMA206-A	1710-1720 / 2110-2120	A	173,489	20	173,000	\$173,000	\$173,000
CMA207	Jackson, MI	AW-CMA207-A	1710-1720 / 2110-2120	A	158,422	20	158,000	\$158,000	\$158,000
CMA208	Fort Pierce, FL	AW-CMA208-A	1710-1720 / 2110-2120	A	319,426	20	319,000	\$319,000	\$319,000
CMA209	Clarksville-Hopkinsville TN-KY	AW-CMA209-A	1710-1720 / 2110-2120	A	207,033	20	207,000	\$207,000	\$207,000
CMA210	Fort Collins-Loveland, CO	AW-CMA210-A	1710-1720 / 2110-2120	A	251,494	20	251,000	\$251,000	\$251,000
CMA211	Bradenton, FL	AW-CMA211-A	1710-1720 / 2110-2120	A	264,002	20	264,000	\$264,000	\$264,000
CMA212	Bremerton, WA	AW-CMA212-A	1710-1720 / 2110-2120	A	231,969	20	232,000	\$232,000	\$232,000
CMA213	Pittsfield, MA	AW-CMA213-A	1710-1720 / 2110-2120	A	134,953	20	135,000	\$135,000	\$135,000
CMA214	Richland-Kennewick-Pasco, WA	AW-CMA214-A	1710-1720 / 2110-2120	A	191,822	20	192,000	\$192,000	\$192,000
CMA215	Chico, CA	AW-CMA215-A	1710-1720 / 2110-2120	A	203,171	20	203,000	\$203,000	\$203,000
CMA216	Janesville-Beloit, WI	AW-CMA216-A	1710-1720 / 2110-2120	A	152,307	20	152,000	\$152,000	\$152,000
CMA217	Anderson, IN	AW-CMA217-A	1710-1720 / 2110-2120	A	133,358	20	133,000	\$133,000	\$133,000
CMA218	Wilmington, NC	AW-CMA218-A	1710-1720 / 2110-2120	A	233,450	20	233,000	\$233,000	\$233,000
CMA219	Monroe, LA	AW-CMA219-A	1710-1720 / 2110-2120	A	147,250	20	147,000	\$147,000	\$147,000
CMA220	Abilene, TX	AW-CMA220-A	1710-1720 / 2110-2120	A	160,245	20	160,000	\$160,000	\$160,000
CMA221	Fargo-Moorehead, ND-MN	AW-CMA221-A	1710-1720 / 2110-2120	A	174,367	20	174,000	\$174,000	\$174,000
CMA222	Tuscaloosa, AL	AW-CMA222-A	1710-1720 / 2110-2120	A	164,875	20	165,000	\$165,000	\$165,000
CMA223	Elkhart-Goshen, IN	AW-CMA223-A	1710-1720 / 2110-2120	A	182,791	20	183,000	\$183,000	\$183,000
CMA224	Bangor, ME	AW-CMA224-A	1710-1720 / 2110-2120	A	144,919	20	145,000	\$145,000	\$145,000
CMA225	Altoona, PA	AW-CMA225-A	1710-1720 / 2110-2120	A	129,144	20	129,000	\$129,000	\$129,000
CMA226	Florence, AL	AW-CMA226-A	1710-1720 / 2110-2120	A	142,950	20	143,000	\$143,000	\$143,000
CMA227	Anderson, SC	AW-CMA227-A	1710-1720 / 2110-2120	A	165,740	20	166,000	\$166,000	\$166,000
CMA228	Vineland-Millville, NJ	AW-CMA228-A	1710-1720 / 2110-2120	A	146,438	20	146,000	\$146,000	\$146,000
CMA229	Medford, OR	AW-CMA229-A	1710-1720 / 2110-2120	A	181,269	20	181,000	\$181,000	\$181,000
CMA230	Decatur, IL	AW-CMA230-A	1710-1720 / 2110-2120	A	114,706	20	115,000	\$115,000	\$115,000
CMA231	Mansfield, OH	AW-CMA231-A	1710-1720 / 2110-2120	A	128,852	20	129,000	\$129,000	\$129,000
CMA232	Eau Claire, WI	AW-CMA232-A	1710-1720 / 2110-2120	A	148,337	20	148,000	\$148,000	\$148,000
CMA233	Wichita Falls, TX	AW-CMA233-A	1710-1720 / 2110-2120	A	142,670	20	143,000	\$143,000	\$143,000
CMA234	Athens, GA	AW-CMA234-A	1710-1720 / 2110-2120	A	195,033	20	195,000	\$195,000	\$195,000
CMA235	Petersburg-Hopewell, VA	AW-CMA235-A	1710-1720 / 2110-2120	A	130,571	20	131,000	\$131,000	\$131,000
CMA236	Muncie, IN	AW-CMA236-A	1710-1720 / 2110-2120	A	118,769	20	119,000	\$119,000	\$119,000
CMA237	Tyler, TX	AW-CMA237-A	1710-1720 / 2110-2120	A	174,706	20	175,000	\$175,000	\$175,000
CMA238	Sharon, PA	AW-CMA238-A	1710-1720 / 2110-2120	A	120,293	20	120,000	\$120,000	\$120,000
CMA239	Joplin, MO	AW-CMA239-A	1710-1720 / 2110-2120	A	157,322	20	157,000	\$157,000	\$157,000
CMA240	Texarkana, AR-TX	AW-CMA240-A	1710-1720 / 2110-2120	A	143,377	20	143,000	\$143,000	\$143,000
CMA241	Pueblo, CO	AW-CMA241-A	1710-1720 / 2110-2120	A	141,472	20	141,000	\$141,000	\$141,000
CMA242	Olympia, WA	AW-CMA242-A	1710-1720 / 2110-2120	A	207,355	20	207,000	\$207,000	\$207,000
CMA243	Greeley, CO	AW-CMA243-A	1710-1720 / 2110-2120	A	180,936	20	181,000	\$181,000	\$181,000
CMA244	Kenosha, WI	AW-CMA244-A	1710-1720 / 2110-2120	A	149,577	20	150,000	\$150,000	\$150,000
CMA245	Ocala, FL	AW-CMA245-A	1710-1720 / 2110-2120	A	258,916	20	259,000	\$259,000	\$259,000
CMA246	Dothan, AL	AW-CMA246-A	1710-1720 / 2110-2120	A	137,916	20	138,000	\$138,000	\$138,000