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September 19, 2007

Via Electronic Delivery

Ms. Marlene H. Dortch
Federal Communications Commission
The Portals, TW-A325
445 12th Street SW
Washington, DC 20554

Re: Corrected Notice of *Ex Parte* Presentation - AU Dkt. 07-157,
Auction of 700 MHz Band Licenses

Dear Ms. Dortch:

Attached please find a corrected notice regarding the September 14, 2007, Google Inc. *ex parte* presentation regarding the 700 MHz auction procedures proposed in the Commission's August 17, 2007, Public Notice (DA 07-3415). Pursuant to the corrected notice, Google urged the FCC to adopt a December 12, 2007, Short-Form Application deadline and a January 25, 2008, auction start date as recommended by other commenters.

Pursuant to the Commission's rules, one copy of this notice is being filed electronically in the above-referenced docket for inclusion in the public record. Please contact me directly should you have any questions.

Respectfully submitted,



Mark J. O'Connor
Counsel for Google Inc.

cc: Fred Campbell (fred.campbell@fcc.gov)
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September 17, 2007

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Ms. Marlene H. Dortch
Federal Communications Commission
The Portals, TW-A325
445 12th Street SW
Washington, DC 20554

Re: Corrected Notice of *Ex Parte* Presentation - AU Dkt. 07-157,
Auction of 700 MHz Band Licenses

Dear Ms. Dortch:

On Friday, September 14, 2007, Richard S. Whitt, Washington Telecom and Media Counsel for Google Inc., E. Ashton Johnston of Lampert & O'Connor, P.C., and the undersigned met with the following Wireless Telecommunications Bureau ("WTB") staff persons: Fred Campbell (Bureau Chief); James Schlichting (Deputy Chief); Paul Murray (Legal Advisor); Walter Strack (Chief Economist); Gary Michaels (Deputy Chief, Auctions Division); William Huber (Auctions Division); Craig Bomberger (Auctions Division); Martha Stancill (Auctions Division); and Erik Salovaara (Auctions Division).

During the meeting, Google presented several recommended points of clarification and modification to the 700 MHz auction procedures proposed in the Commission's August 17, 2007, Public Notice (DA 07-3415) that would enhance the ability of new entrants to participate more efficiently and fully in the upcoming auction. Specifically, Google made the following points during the meeting:

- Special Stopping Rule – The WTB should clarify in the final auction procedures that eligible bidders will have the opportunity to meet the reserve price. This will allow bidders to more effectively build their bidding strategies and valuations, increase the likelihood that the initial auction will be a success, and make re-auction less likely.
- Schedule – The FCC should adopt a December 12, 2007, Short-Form Application deadline and a January 25, 2008, auction start date as recommended by other commenters.
- Upfront Payment Refunds - To encourage participation in the initial auction as well as provide clear expectations, the WTB should clarify that refunds of upfront payment will be promptly provided for applicants not participating in a re-auction, consistent

with prior auction practices. Thus, Commission staff should process refunds promptly after the initial auction ends, in the case of an applicant who notifies the Commission that it will not participate in the re-auction. Alternatively, the Commission staff could issue refunds immediately after the re-auction Short-Form Application deadline, when it is known that a particular bidder is not participating.

- Bid Withdrawals – The auction procedures should permit C Block bidders the same ability available to all other auction participants to withdraw bids in one or two rounds. Bid withdrawals are a tool that should be available to permit all bidders to react to risks -- including the auction pricing as it develops as well as financial or other events external to the auction process.

Further, the WTB staff clarified that a bidder that drops a non-provisionally winning package bid would be entitled to bid in a subsequent round on any individual license in the package without penalty. The WTB staff also explained that while some bidder information would be unavailable (*e.g.*, markets selected on Form 175, upfront payment amounts, individual bidder eligibility), other information from the bidders' Short-Form and Long-Form Applications would otherwise be available.

Pursuant to the Commission's rules, one copy of this notice is being filed electronically in the above-referenced docket for inclusion in the public record. Please contact me directly should you have any questions.

Respectfully submitted,



Mark J. O'Connor
Counsel for Google Inc.

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