



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 01-478
February 22, 2001

700 MHz GUARD BANDS AUCTION CLOSES

Winning Bidders Announced

Down Payments Due March 8, 2001
FCC Forms 601 and 602 Due March 8, 2001
Ten-Day Petition to Deny Period

Report No. AUC-38-F (Auction No. 38)

On February 21, 2001, the Federal Communications Commission completed the auction of 8 licenses in the 700 MHz Guard Bands Auction ("Auction No. 38"), raising (in net high bids) a total of \$20,961,500 for the U.S. Treasury. Three winning bidders won a total of 8 licenses in this auction.

This *Public Notice* provides detailed information concerning winning bidders, down payments, bid withdrawal payments and/or deposits, FCC Forms 601 and 602 filing requirements, requests for rule waivers, and licensing matters. Key information appears in the following attachments:

- Attachment A:** "Round Results, High Bids" lists winning bidders and both the gross and net high winning bid amounts.
- Attachment B:** "Bidder Payment/Refund Report" lists down payments owed by winning bidders.
- Attachment C:** "Multi-Auction Withdrawal Payment Report" contains total withdrawn bid payments owed by bidders in Auction No. 33 based upon reconciliation of final results of Auction No. 33 and Auction No. 38.
- Attachment D:** "Instructions for Completing FCC Form 601" provides detailed information about how a winning bidder should complete the required FCC Form 601 for 700 MHz license applications.
- Attachment E:** "Instructions for Using ULS to Register TIN and Call Signs With FCC and File FCC Form 601 Electronically."
- Attachment F:** "Accessing the FCC Network using Windows 95/98 for Universal Licensing System Filing."

A copy of this *Public Notice* will be sent via overnight mail to each winning bidder.

A. Down Payments.

The Commission's rules require that within ten business days after the release of this *Public Notice*, in this case **6:00 p.m. ET on March 8, 2001**, winning bidders in Auction No. 38 must have on deposit with Mellon Bank in Pittsburgh, Pennsylvania, enough funds to cover down payments on winning bids for Auction No. 38. If a winning bidder's upfront payment is not sufficient to meet this requirement, the winning bidder must deposit additional funds. *See* 47 C.F.R. § 1.2107(b).

The amount now due from each winning bidder, if any, is set out in the last column of **Attachment B**. *Note that a payment and FCC Form 159 are necessary only if a winning bidder's upfront payment does not cover the required total of down payments (as reflected in Attachment B)*. Each winning bidder's down payment must be a total of twenty (20) percent of its net winning bid(s).

B. Final Payments.

After the termination of the licensing pleading cycle (*see* 47 C.F.R. § 1.2108), the Commission will issue a public notice announcing that it is prepared to grant the licenses. Within ten business days after the date of that public notice, winning bidders will be required to make full payment of the balance of their winning bids. *See* 47 C.F.R. §§ 1.2107(b), 1.2109. Licenses will be granted only after the full and timely payment of winning bids and any applicable late fees, in accordance with Section 1.2109(a). *See* 47 C.F.R. §1.2109(a).

C. Method of Payment.

All payments must be in U.S. dollars and made in the form of a wire transfer. No personal checks, credit card payments, or other forms of payment will be accepted. All payments must be accompanied by a completed FCC Remittance Advice Form (FCC Form 159).¹ If applicable, a partially completed copy of the FCC Form 159 will be sent along with this *Public Notice* to facilitate submission of the correct down payment. Questions regarding FCC Form 159 should be addressed to Tim Dates or Gail Glasser at 202-418-1995. **Please note, however, that winning bidders are ultimately responsible for insuring the verification and submission of the correct down payment from their bank to Mellon bank.**

Wire transfer payments must be **received** by Mellon Bank by **6:00 p.m. ET, on March 8, 2001**. Winning bidders should coordinate with their bankers ahead of time regarding their wire transfers, and allow sufficient time for the wire transfer to **be initiated and completed prior to the deadline**.

To submit funds by wire transfer, winning bidders will need the following information:

ABA Routing Number: 043000261

Receiving Bank: Mellon Pittsburgh

BNF: 911-6106

OBI Field: (Skip one space between each information item) "AUCTIONPAY"

TAXPAYER IDENTIFICATION NO. (same as FCC Form 159, Block 12)

¹ Copies of the FCC Form 159 may be obtained by calling the Commission's Forms Distribution Center at 1-800-418-3676 (outside Washington, D.C.) or 202-418-3676 (in the Washington D.C. area). Copies of the FCC Form 159 can also be obtained via the Internet (<http://www.fcc.gov/formpage.html>) or by Fax-On-Demand (202-418-2830).

PAYMENT TYPE CODE (enter "A38D")
FCC CODE 1 (same as FCC Form 159, Block 28A: "38")
PAYOR NAME (same as FCC Form 159, Block 2)
LOCKBOX NO.: 358850

Winning bidders must fax a completed FCC Form 159 to Mellon Bank at 412-209-6045 at least one hour before placing the order for the wire transfer (but on the same business day).

Proper completion of the FCC Form 159 is critical to ensuring correct credit of bidder deposits. **Winning bidders must use the same Taxpayer Identification Number used on their FCC Form 175.**² Questions concerning the calculation and submission of down payments should be directed to Gail Glasser at 202-418-1995.

D. Withdrawal, Default and Disqualification Payments.

The Commission imposes payments on bidders that withdraw high bids during the course of an auction, default on payments due after an auction closes, or those that are disqualified. *See* 47 C.F.R. §§ 1.2104(g), 1.2109.

1. Bid Withdrawal Payments. A bidder (Bidder X) that withdraws a high bid during the course of an auction is subject to a bid withdrawal payment equal to the difference between the amount withdrawn and the amount of the subsequent winning bid. No withdrawal payment will be assessed for a withdrawn bid if either the subsequent winning bid or any of the intervening subsequent withdrawn bids equals or exceeds that withdrawn bid. If a high bid is withdrawn on a license that remains unsold at the close of the auction, Bidder X will be required to make an interim payment equal to three (3) percent of the net amount of the withdrawn bid.³ This payment amount is deducted from any upfront payments or down payments that Bidder X has deposited with the Commission. If, in a subsequent auction, that license receives a valid bid in an amount equal to or greater than the withdrawn bid amount, then no final bid withdrawal payment will be assessed, and Bidder X may request a refund of the interim three (3) percent payment. If, in a subsequent auction, the winning bid amount for that license is less than Bidder X's withdrawn bid amount, then Bidder X will be required to make a final bid withdrawal payment equal to either the difference between Bidder X's net withdrawn bid and the subsequent net winning bid, or the difference between Bidder X's gross withdrawn bid and the subsequent gross winning bid, whichever is less. The three (3) percent interim payment will be applied toward the withdrawal payment.

Now that Auction No. 38 is complete, we are in a position to calculate and assess final bid withdrawal payments owed as a result of withdrawals on licenses in Auction No. 33. These final bid withdrawal payments are identified in **Attachment C**. Any upfront payments or down payments that the withdrawing bidder has deposited with the Commission will first be applied to satisfy the withdrawal payment(s) amount before being applied towards a winning bidder's down payment. *See* 47 C.F.R. 1.2104(g)(1). Forthcoming orders will assess such payments.

² If, subsequent to final submission of its FCC Form 175, a bidder has provided the Commission with a written correction of its Taxpayer Identification Number, the bidder should use the corrected number.

³ *See* Implementation of Section 309(j) of the Communications Act – Competitive Bidding, PP Docket No. 93-253, *Fifth Report and Order*, 9 FCC Rcd 5532, 5563 n.51 (1994); *see also* "Phase II 220 MHz Service Auction Closes, Winning Bidders in the Auction of 908 Phase II 220 MHz Service Licenses," *Public Notice*, 14 FCC Rcd 605 (1999). We note that there are no unsold licenses at the close of Auction No. 38.

2. *Bid Default/Disqualification Payments.* If a high bidder defaults or is disqualified after the close of the auction, the defaulting bidder will be subject to the same bid withdrawal payment obligations as described above, plus an additional payment equal to three (3) percent of the subsequent winning bid or three (3) percent of the defaulted bid, whichever is less. Where a bidding credit applies to the winning bid in either the original or the subsequent auction, the calculation of the three percent payment is based on the smaller of the two gross bids or smaller of the two net bids, whichever basis (gross or net) was used to figure the first component. Thus, if the difference between the gross bids is less than the difference between the net bids, the three percent payment will be computed on the lower of the gross bids. If the difference between the net bids is less than or equal to the difference between the gross bids, the three percent payment will be computed on the lower of the net bids. However, if the differences between both the gross bids and the net bids are less than or equal to zero, the three percent payment will be computed on the lower of the net bids.

If a winning bidder fails to remit the required down payment within ten (10) business days after the Commission has released this *Public Notice*, in this case by March 8, 2001, the bidder will be deemed to have defaulted, its application will be dismissed, and it will be liable for a default payment as described above. In such event, the Commission, at its discretion, may either auction the spectrum to existing or new applicants, or offer it to the other highest bidders (in descending order) at their final bids. *See* 47 C.F.R. § 1.2109(b).

If a winning bidder fails to pay the balance of its winning bids in a lump sum by the applicable deadline as specified by the Commission, it will be allowed to make payment within ten (10) business days after the payment deadline provided that it also pays a late fee equal to five (5) percent of the amount due. When a winning bidder fails to pay the balance of its winning bid plus late fee by the late payment deadline, it is considered to be in default on its license(s) and subject to the applicable default payments. Licenses will be awarded upon the full and timely payment of winning bids and any applicable late fees. *See* 47 C.F.R. §1.2109(a). A winning bidder that is found unqualified to be a licensee, fails to remit the balance of its winning bid in a timely manner, or defaults or is disqualified for any reason after having made the required down payment, will be deemed to have defaulted and will be liable for the payment set forth in Section 1.2104(g)(2). In such event, the Commission may either auction the spectrum to existing or new applicants or offer it to the other highest bidders (in descending order) at their final bids. *See* 47 C.F.R. § 1.2109(c).

Additionally, bidders that are found to have violated the antitrust laws or the Commission's rules in connection with their participation in the competitive bidding process may be subject, in addition to any other applicable sanctions, to forfeiture of their upfront payment, down payment, or full bid amount, and may be prohibited from participating in future auctions. *See* 47 C.F.R. § 1.2109(d).

E. Refund of Excess Upfront Payments (for winning bidders).

Upfront monies on deposit that are in excess of the required down payment, withdrawal and/or default payment amounts will be refunded to the payer of record as identified on FCC Form 159 promptly upon receipt of the necessary wire transfer instructions. Winning bidders must fax the necessary wire transfer instructions to Gail Glasser at 202-418-2843. Any questions concerning refunds should be referred to Gail Glasser or Tim Dates at 202-418-1995.

F. Refund of Upfront Payments (for non-winning bidders).

Non-winning bidders must fax the necessary wire transfer instructions to Gail Glasser or Tim Dates at

202-418-2843. Any questions concerning refunds for non-winning bidders should be referred to Gail Glasser or Tim Dates at 202-418-1995.

G. FCC Form 601.

By **6:00 p.m. ET on March 8, 2001**, winning bidders must submit a completed long-form license application(s) covering each license for which they were the winning high bidder. **Attachment D** sets out instructions for completing the FCC Form 601. Applications **must** be filed electronically. Detailed instructions for filing the Form 601 electronically are set out in **Attachment E**.

Failure to timely file FCC Form 601 will result in default. Late-filed applications will not be accepted without a showing of good cause.⁴

H. Tribal Land Bidding Credit.

The Commission has implemented a tribal land bidding credit to encourage the growth of wireless services in federally recognized tribal lands. *See* Attachment D.

I. FCC Form 602.

Pursuant to Section 1.919 of the Commission's rules, an applicant for a license in an auctionable service must have on file with the Commission a current FCC Form 602 regarding ownership information of the applicant. *See* 47 C.F.R. § 1.919. Therefore, unless the applicant already has a current FCC Form 602 on file with the Commission, the applicant must submit one at the time the FCC Form 601 is filed. Any late-filed FCC Form 602 must contain a request for waiver of the filing requirement in 47 C.F.R. § 1.919.

FCC Form 602 must be filed **manually** (not electronically), and may be obtained from the Internet at <http://www.fcc.gov/formpage.html> or by calling the FCC's Form Distribution Center at 1-800-418-FORM (3676). For more detailed information on FCC Form 602, *see* "Wireless Telecommunications Bureau Answers Frequently Asked Questions Concerning Reporting of Ownership Information on FCC Form 602," *Public Notice*, DA 99-1001 (rel. May 25, 1999).

Applicants that do not have a current FCC Form 602 on file should send the form to:

Federal Communications Commission
1270 Fairfield Road
Gettysburg, PA 17325-7245

Filing an FCC Form 602 is a separate requirement from, and in addition to, the ownership reporting requirements associated with filing FCC Form 601, Exhibit A, as set forth in Attachment D. However, to avoid duplication, applicants may provide certain information required in Exhibit A by attaching a copy of their FCC Form 602 (in Adobe PDF Format) to their FCC Form 601 submission. Applicants are reminded, however, that an original FCC Form 602 still must be filed manually in Gettysburg, PA. For further information, see Instructions in Attachment D.

⁴ 47 C.F.R. § 1.2107(c).

J. Applications for Multiple Licenses.

Applicants may submit one FCC Form 601 (including all required schedules, attachments, and exhibits) and Form 602 for multiple licenses if **all** filing information (name and address information, all ownership and eligibility attachments, and waiver requests) associated with the application is identical **except** for the market designator and market name. Licensing information such as market designator, channel block, and/or market name may be different (*i.e.*, WXMEA012A– Pittsburgh; WXMEA014B – Columbus).

Filers whose name and address, ownership, eligibility, and waiver requests are identical for some licenses but different for other licenses must submit a separate Form 601 and 602 for those licenses for which filing information is unique. The streamlined filing procedure described in the above paragraph may only be used for licenses that have identical filing information.

Applicants seeking a tribal lands bidding credit for one or more markets are encouraged to submit two applications. One application would include markets in which the applicant intends to apply for a tribal lands bidding credit. The other application would include those markets in which the applicant is not seeking a tribal lands bidding credit.

K. Maintaining Accuracy of Information.

After the auction closes, applicants are required to make all changes in the ULS system (Forms 601/602). Applicants are no longer required to maintain accuracy and completeness of information furnished on their FCC Form 175 and exhibits.

L. Application Processing and License Grant.

Pursuant to 47 C.F.R. § 1.2108(b) and the Balanced Budget Act of 1997, Pub. L. 105-33, 111 Stat. 251 (1997), interested parties will have **ten (10) days** to file petitions to deny after the Commission releases a public notice announcing the FCC Forms 601 and 602 are acceptable for filing. An applicant may file an opposition to any petition to deny within **five (5) business days** after the time for filing petitions to deny has expired. *See* 47 C.F.R. §1.2108(c). The petitioner may file a reply to such opposition within **five (5) business days** after the time for filing oppositions has expired. *See* 47 C.F.R. §1.2108(c). If the Commission determines an applicant is qualified and there is no substantial and material issue of fact concerning that determination, the Commission will issue a public notice announcing that it is prepared to grant the application conditioned upon the full and timely payment of the remaining balance of the applicant's winning bid. Once the Commission has received full payment of the applicant's winning bid, it will issue a public notice announcing grant of the license (or licenses) to the applicant.

Frivolous Pleadings. The Commission reminds parties to our proceedings and their attorneys that the Commission intends to use its authority fully to discourage and deter the filing of frivolous pleadings. *See* Commission Taking Tough Measures Against Frivolous Pleadings, *Public Notice*, 11 FCC Rcd 3030 (1996).

M. Anti-collusion Rules.

To ensure the competitiveness of the auction process, the Commission's rules prohibit applicants for the same geographic license area from communicating with each other during the auction about bids, bidding

strategies, or settlements. As explained more fully in the *Auction No. 38 Procedures Public Notice*,⁵ this prohibition began with the filing of short-form applications and ends on the down payment due date.⁶ The prohibition ends on the down payment due date whether or not a high bidder must supplement its upfront payment to cover its down payment. Applicants certified their compliance with Section 1.2105(c) when their FCC Form 175 short-form applications were signed.

* * * * *

For further information, contact

News Media:	Mark Rubin at 202-418-2924
Technical Support Hotline:	Technical Support Personnel at 202-414-1250 (V) or 202-414-1255 (text telephone (TTY))
Office of the Managing Director Auctions Accounting Group (Payment, FCC Form 159 and refund questions)	Gail Glasser or Tim Dates At 202-418-1995
Wireless Telecommunications Bureau, Commercial Wireless Division (FCC Form 601 and 602 questions)	JoAnn Epps, Industry Analyst, at 202-418-1342, Gary Oshinsky, Attorney, at 202-418-7167 or Erin McGrath, Attorney, at 202-418-2042 Amal Abdallah, Attorney, at 202-418-7307
Wireless Telecommunications Bureau, Auctions and Industry Analysis Division Auctions (Auction-related questions)	Linda Sanderson, Project Manager at 717-338- 2888, Howard Davenport, Attorney, at 202-418- 0660

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⁵ See “Auction of Licenses for the 700 MHz Guard Bands Scheduled for February 13, 2001; Auction Notice and Filing Requirements for 8 Licenses in the 700 MHz Guard Bands; Minimum Opening Bids and Other Procedural Issues,” *Public Notice*, DA 00-2571 (rel. November 14, 2000) 65 Fed. Reg. 83024 (“*Auction No. 38 Procedures Public Notice*”).

⁶ See *id.* at 6.

FCC 700 MHz Guard Band Auction
Round Results, High Bids
Auction ID: 38

ATTACHMENT A



Date of Report: 2/21/01 12:25 Eastern Time

Market	Freq Block	License Description	Round of High Bid	FCC Account Number	Name	Date/Time of Bid	Net Bid Amount	Gross Bid Amount
2 MHz Band								
MEA012	A	Pittsburgh, PA	37	0381922396	Pegasus Guard Band, LLC	02/21/2001 9:00:42:510AM	\$3,831,000	\$3,831,000
Subtotal							\$3,831,000	\$3,831,000
4 MHz Band								
MEA014	B	Columbus, OH	36	0381125511	Nextel Spectrum Acquisition Corp.	02/20/2001 4:32:30:023PM	\$3,650,000	\$3,650,000
MEA028	B	Little Rock, AR	34	0381014243	Access Spectrum, LLC	02/20/2001 2:30:08:763PM	\$5,548,500	\$7,398,000
MEA034	B	Omaha, NE	34	0381014243	Access Spectrum, LLC	02/20/2001 2:30:08:763PM	\$3,723,000	\$4,964,000
MEA037	B	Oklahoma City, OK	27	0381125511	Nextel Spectrum Acquisition Corp.	02/16/2001 3:30:09:960PM	\$2,857,000	\$2,857,000
MEA048	B	Hawaii	28	0381125511	Nextel Spectrum Acquisition Corp.	02/16/2001 4:32:44:393PM	\$1,342,000	\$1,342,000
MEA049	B	Guam & the N Mariana Islands	1	0381922396	Pegasus Guard Band, LLC	02/13/2001 9:00:36:630AM	\$7,500	\$7,500
MEA051	B	American Samoa	1	0381922396	Pegasus Guard Band, LLC	02/13/2001 9:00:36:630AM	\$2,500	\$2,500
Subtotal							\$17,130,500	\$20,221,000
Grand Total							\$20,961,500	\$24,052,000

**FCC 700 MHz Guard Band Auction
Bidder Payment / Refund Report
Auction ID:38**

ATTACHMENT B



Date of Report: 2/21/01 12:26:44

Applicant Name	FCC Account Number	Upfront Pmt Amt	Total Withdrawal	Upfront Pmt Amt Counted	Total Net High Bid	Initial Down Pmt	Amt Upfront Applied	Balance
Access Spectrum, LLC	0381014243	\$156,000.00	\$0.00	\$156,000.00	\$9,271,500.00	\$1,854,300.00	\$156,000.00	\$1,698,300.00
Harbor Wireless, LLC	0381433168	\$110,000.00	\$0.00	\$110,000.00	\$0.00	\$0.00	\$0.00	(\$110,000.00)
Nextel Spectrum Acquisition Corp.	0381125511	\$156,000.00	\$0.00	\$156,000.00	\$7,849,000.00	\$1,569,800.00	\$156,000.00	\$1,413,800.00
Pegasus Guard Band, LLC	0381922396	\$161,000.00	\$0.00	\$161,000.00	\$3,841,000.00	\$768,200.00	\$161,000.00	\$607,200.00
PTPMS II Communications, LLC	0381937056	\$161,000.00	\$0.00	\$161,000.00	\$0.00	\$0.00	\$0.00	(\$161,000.00)

700 MHz Guard Band Auction

Multi-Auction Withdrawal Payment Report

Auction ID: 38

ATTACHMENT C



Report Date: 2/21/01 1:49:38 PM

License Number	Freq Blk	Market Description	Bidder Name	FCC Account Number	Withdrawn Gross Bid Amount	Withdrawn Net Bid Amount	Original Withholding	Withdrawal Payment	Amount Due
MEA012	A	Pittsburgh, PA	Access Spectrum, LLC	0331234173	\$2,702,000.00	\$2,026,500.00	\$60,795.00	\$0.00	(\$60,795.00)
MEA014	B	Columbus, OH	Pegasus Guard Band, LLC	0331922558	\$1,096,000.00	\$1,096,000.00	\$32,880.00	\$0.00	(\$32,880.00)
MEA028	B	Little Rock, AR	Pegasus Guard Band, LLC	0331922558	\$1,833,000.00	\$1,833,000.00	\$54,990.00	\$0.00	(\$54,990.00)
MEA034	B	Omaha, NE	Pegasus Guard Band, LLC	0331922558	\$860,000.00	\$860,000.00	\$25,800.00	\$0.00	(\$25,800.00)
MEA037	B	Oklahoma City, OK	Pegasus Guard Band, LLC	0331922558	\$1,125,000.00	\$1,125,000.00	\$33,750.00	\$0.00	(\$33,750.00)
MEA048	B	Hawaii	Pegasus Guard Band, LLC	0331922558	\$481,000.00	\$481,000.00	\$14,430.00	\$0.00	(\$14,430.00)
MEA049	B	Guam & the N Mariana Islands	Motorola Spectrum, Inc.	0330918296	\$11,000.00	\$11,000.00	\$330.00	\$3,500.00	\$3,170.00
MEA051	B	American Samoa	Motorola Spectrum, Inc.	0330918296	\$4,000.00	\$4,000.00	\$120.00	\$1,500.00	\$1,380.00
									(\$218,095.00)

ATTACHMENT D

INSTRUCTIONS FOR COMPLETING FCC FORM 601

In completing the FCC Form 601, applicants are strongly encouraged to use the format below in submitting the information required by our rules. Following this format will help expedite the processing of the FCC Form 601 and minimize the need for requesting missing information. Applicants seeking tribal lands bidding credits must comply with the instructions contained in Part IV of this Attachment.

I. FCC FORM 601: GENERAL REQUIREMENTS

Applicants bear full responsibility for submission of timely and complete FCC Form 601 applications. Applicants should read the instructions on the FCC Form 601 carefully and should consult the rules to ensure that, aside from the materials described below, all the information that is required under our rules is included with their FCC Form 601 applications. Each applicant is responsible for the continuing accuracy and completeness of information furnished in a pending application. *See* 47 C.F.R. § 1.65. **Incomplete or defective applications may be returned to the applicant.** *See* 47 C.F.R. § 1.934(a), (d); *see also* 47 C.F.R. § 1.933(b).

An applicant that fails to submit the required FCC Form 601 application by **6:00 p.m. ET on March 8, 2001**, and fails to establish good cause for any late-filed submissions, shall be deemed to have defaulted and will be subject to the default payments set forth in Section 1.2104(g) of the Commission's rules. *See* 47 C.F.R. §§ 1.2104(g), 1.2107(c).

Number of Forms To Be Filed. Applicants applying for multiple licenses are not required to submit a separate application for each market if **all** filing requirements associated with the application are identical **except** for the market designator and market name. Under these circumstances, applicants may submit *one* FCC Form 601 (including all required schedules, attachments, and exhibits). Applicants seeking tribal lands bidding credits for one or more markets are encouraged to submit two applications. One application would include markets in which the applicant intends to apply for tribal lands bidding credits. The other application would include those markets in which the applicant is not seeking a tribal lands bidding credit.

II. FILING FCC FORM 601 ELECTRONICALLY

- To reach the ULS Online Filing Screen, establish a direct dial-up connection to the Commission's Universal Licensing System (ULS) by pointing your web browser to <http://wtbwww05.fcc.gov> and selecting the ULS Filing button. (Follow the instructions set forth in Attachment F to this Public Notice on accessing ULS through a direct dial-up connection).

You may also connect to the ULS Online Filing Screen through the Internet at <http://www.fcc.gov/wtb/uls>. Select the ULS Filing button from this page.

Note: We recommend that you use Netscape Communicator 4.75 (Internet web browser software) to electronically register and file FCC Form 601 through ULS. You can download Netscape Communicator free of charge by accessing the Netscape download site at <http://home.netscape.com/download/>.

- At the ULS Online Filing Screen, enter the applicant's Taxpayer Identification Number (TIN), Subgroup Identification Number (SGIN) if one was selected/assigned at TIN registration, and Password. Then click on "Continue." (See Attachment E for instructions on registering your TIN).

Note: The TIN provided must be the same one used to identify the applicant when filing Form 175. Contact Technical Support at (202) 414-1250 if you have problems accessing ULS.

- Click on the "Select New Filing" button to begin filing your application.
- Select Application Purpose "New" from the drop-down list and click on "Continue."
- Select Auction ID "38 – 700 MHz Bands" from the Auction ID drop-down list and click on "Continue."
- Supply the information requested by the Form 601.
- If you plan to file a request for waiver or exception to the Commission's Rules, select "Yes" for the third question on this page.
- If the TIN of the Real-Party-in-Interest to the application differs from the TIN used to access ULS for the application, you must register the Real-Party-in-Interest's TIN prior to submitting the application. You will not be able to submit the application if you supply an unregistered TIN for the Real-Party-in-Interest.
- After supplying all the requested information, fill in your signature at the bottom of the page and click on "Continue."
- The following screen lists all of the markets won by the applicant at the auction. Select the market(s) you want to apply for in this application by clicking on the box to the right of the market name. If you intend to apply for tribal lands bidding credits, *see infra* Part IV.
- After the market(s) have been selected, click on the "Attachments" button and upload the required attachments as described *infra*. Be sure to use the standard attachment types and file descriptions set forth herein.
- When finished uploading attachments, close the Attachment window. After uploading each of the required attachments, click on the "Continue" button. At this point, you can either "Print Preview" your application, or "Submit" it to the Commission.
- ULS will assign a file number to the application. If you wish to change anything on the submitted application **during** the filing window, access the ULS Online Filing Screen and enter your TIN, SGIN, and Password. On the next screen, click on the file number of the desired application in Complete status.

If you wish to change anything **after** the filing deadline, you may enter your TIN, SGIN, and Password on the Online Filing Screen, select application purpose Amendment, and select the file number of the application you wish to modify.

III. ORGANIZATION OF APPLICATION EXHIBITS

Main Form-Related Exhibits. Any exhibits to be attached to an application in response to a question on the FCC Form 601 Main Form or on Schedule B should be identified as specified in the instructions to the FCC Form 601. Applicants should use the Attachment screen provided within the electronic filing software to submit these exhibits as uploaded files and should select the appropriate attachment type. The electronic filing software will accept a variety of file formats including Word, Word Perfect, Excel, Lotus, and ASCII text. See online help for a full list of acceptable file formats.

Rule-Related Exhibits. Any exhibits to be attached to an application as a result of our rule requirements should be uploaded and identified as follows:

<u>Title</u>	<u>Required From</u>
Exhibit A: Ownership	All Applicants
Exhibit B: Foreign Ownership	If Applicable
Exhibit C: Designated Entities	Designated Entity Applicants
Exhibit D: Agreements & Other Instruments	Designated Entity and Other Applicants if Applicable.
Exhibit E: Confidentiality Requests	If Applicable
Exhibit F: Waiver Requests	If Applicable
Exhibit H: Miscellaneous Information	If Applicable
Exhibit X: Tribal Government Certification	If Applicable ¹
Exhibit Y: Tribal Lands Waiver Requests	If Applicable ²

As specified in the instructions to the FCC Form 601, each page of each exhibit must be identified with the number or letter of the exhibit, the number of the page of the exhibit, and the total number of pages of the exhibit.

Applicants should use the Attachment screen to upload each exhibit file and select the appropriate attachment type. The recommended titles listed above should be entered in the File Description field on the Attachment screen. The electronic filing software will accept a variety of file formats including Word, Word Perfect, and ASCII text. See online help for a full list of acceptable file formats. Applicants are requested not to add password protections to attached files.

¹ Applicants applying for markets where they are seeking a tribal lands bidding credit must attach any tribal government certification and waiver exhibits, as applicable, within 90 days of filing their long-form application. See discussion *infra* Part IV. The applicant does not need to include these attachments in applications in which the applicant is not including markets where a tribal land bidding credit is being sought.

² See *id.*

EXHIBIT A: OWNERSHIP INFORMATION

Section 1.2112 of the Commission's rules requires each applicant to make full and complete disclosure with regard to the real party or parties-in-interest and as to all matters required to be disclosed by the application form. *See* 47 C.F.R. § 1.2112(a). To provide this information, applicants should upload a file, select Attachment Type "Ownership" and enter '**Exhibit A: Ownership**' in the File Description field on the Attachment Screen.

Applicants should provide the information concerning the identity of the applicant (*i.e.*, real party or parties-in-interest), and ownership interests held in the applicant and in investors in the applicant in the format described below. Each application shall be clear and complete in itself without cross-reference to information previously filed. All pages should be clearly labeled to indicate the Exhibit and Item number to which those pages relate.

Part 1: General Information. Applicant must indicate the applicant's form of business organization. In addition,

- If the applicant holder is a corporation, provide the name and address of the corporate office and the name and title of an officer, director, or authorized contact.
- If the applicant is a general partnership, provide the name, address, and citizenship of all partners, and the share or interest participation in the partnership.
- If the applicant is a limited partnership, provide the name, address, and citizenship of each limited partner whose interest in the applicant is equal to or greater than ten percent (as calculated according to the percentage of equity paid in and the percentage of distribution of profits and losses).
- If the applicant is a limited liability corporation, provide the name, address, and citizenship of each of its members whose interest in the applicant is equal or greater than ten percent.

Part 2: Direct Ownership. Applicant must identify all persons or entities that *directly* hold a ten-percent or more interest in the applicant. *See* 47 C.F.R. § 1.2112(a)(1)-(4). For each ten-percent interest holder listed, applicants should provide the following information:

Item (1) Name and address: Identify the name and address of the interest holder. If the interest holder is an individual, provide the name and address of that person, and indicate whether the interest holder is a partner, officer, director, attributable stock holder, or key manager (*e.g.*, CEO, General Manager) of the applicant. If the interest holder is a corporation, provide the name and address of the corporate office and the name and title of an officer, director or authorized contact. If the interest holder is a general partnership, provide the name, address, and citizenship of all partners, the share or interest participation in the partnership and the name, title and address of an authorized contact for the partnership. If the interest holder is a limited partnership, provide the name and address of each limited partner whose interest in the applicant is 10 percent or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses). If the interest holder is a limited liability corporation, provide the name and address of each of its members whose interest in the applicant is 10 percent or greater. If the interest holder is a trust, provide the name and address of the trustee.

Item (2) Principal Business: Describe the interest holder's principal business and its relationship to the applicant.

Item (3) Relationship to Other Interest Holder: Indicate whether the interest holder is related to any other ten percent or greater interest holder by blood or marriage, and provide the name of the related interest holder.

Item (4) Amount Held: Specify the amount held (*e.g.*, number of shares of stock and percentage of total ownership) for each type of interest specified.

Item (5) Type of Interest Held: Indicate whether the interest held is voting or nonvoting, or whether the stock held is common or preferred. If the interests are held in a partnership, indicate whether the interests are limited or general partnership interests.

Part 3: Indirect Ownership. Applicant must identify all persons or entities that **indirectly** hold a ten percent or more interest in the applicant, as determined by successive multiplication of the ownership percentages in each link in the vertical ownership chain, except that if the ownership percentage for any link exceeds fifty percent or represents actual control, it shall be reported as if it were a one hundred percent interest. For each person or entity listed, provide the same information listed in *Items (1)-(5)* above as is requested for direct interests. *See* 47 C.F.R. § 1.2112(a)(1)-(5).

Part 4: Other Disclosable Interests and Entities.

- Applicant must list any FCC-licensed entity or applicant for an FCC license, in which the applicant or any of the parties identified in Sections 1.2112(a)(1)-(5) of the Commission's rules owns 10 percent or more of stock, whether voting or non voting, common or preferred. This list must include a description of each such entity's **principal business** and a description of each entity's **relationship to the applicant**. *See* 47 C.F.R. § 1.2112(a)(6).

Note: Applicants may provide information required in Parts 1 through 4 above by scanning and attaching a copy of their current FCC Form 602 (in Adobe PDF) as an exhibit to FCC Form 601. To avoid inadvertent disclosure of Taxpayer Identification Number (TIN) information, applicants submitting a copy of FCC Form 602 as an attachment to FCC Form 601 should not include TIN information on the copy of FCC Form 602 or should block out this information. Applicants are reminded, however, that a current FCC Form 602 must be filed, or be on file, with the Commission's Gettysburg address.

EXHIBIT B: FOREIGN OWNERSHIP

If the applicant has responded "yes" to either Question 40, 41, 42, 43, or 44 on the FCC Form 601, it must explain the circumstances regarding foreign ownership in the applicant. To provide this information, the applicant should select Attachment Type "Ownership" and enter '**Exhibit B: Foreign Ownership**' in the File Description field on the Attachment Screen. For every direct or indirect foreign owner, applicants should provide the following information:

Item (1) Percentage of Interest: Identify each foreign owner's percentage of ownership in the applicant.

Item (2) Country of Origin and Address: List each foreign owner's country of origin and principal place of business.

Item (3) Public Interest Statement: Demonstrate how allowing the applicant to hold the requested license is consistent with the Commission's policies pursuant to Section 310(b)(4) of the Communications Act of 1934, as amended. In the *Foreign Participation Order*,³ the Commission stated that there is a presumption that indirect foreign ownership of common carrier radio licenses by entities whose home markets are WTO Members is in the public interest. If more than twenty-five percent of the ownership of an entity that controls a common carrier radio license is attributable to parties whose home markets are non-WTO Members, the Commission will evaluate whether those markets offer effective competitive opportunities to U.S. investors. See *Foreign Participation Order*, 12 FCC Rcd. 23891, 23935-42, 23946, at ¶¶ 97-118, 131.

Item (4) Petitions for Declaratory Ruling: As explained in the Commission's *Foreign Participation Order*, licensees must seek the Commission's prior approval before accepting indirect foreign ownership that causes them to exceed Section 310(b)(4)'s twenty-five percent benchmark. See *id.* In keeping with this pre-approval process, auction applicants are required to certify in their short form 175 applications that they are either in compliance with the foreign ownership requirements of Section 310 or that they have filed a request for relief of those requirements that is pending with the Commission. See 47 C.F.R. § 1.2105(a)(2)(v), (vi). Similarly, where foreign ownership is at issue, applicants must indicate in their long form 601 application that they have either received a declaratory ruling that grants them permission to exceed the statutory benchmark of Section 310(b)(4) or that they have a request currently pending at the Commission. Applicants are advised that petitions for declaratory ruling to exceed the Section 310(b)(4) benchmark must be granted before any license for which the applicant is a high bidder may be granted.

Petitions for a declaratory ruling to exceed the Section 310(b)(4) twenty-five-percent statutory benchmark should be addressed to the Secretary, with a copy to the Telecommunications Division of the International Bureau and must be filed in paper form. There is no fee associated with such a filing. Applicants should be aware that, under the relevant precedent, including the Commission's *Foreign Participation Order*, streamlined processing is possible for petitions involving investment from WTO Members that do not raise any other potentially complex foreign ownership issues. The Commission may conclude that a particular petition of this type is not eligible for streamlined processing. If more than twenty-five percent of the ownership of an entity that controls a common carrier radio license is attributable to parties whose home markets are non-WTO Members, such petitions are not eligible for streamlined processing, and these petitioners should contact the Telecommunications Division of the International Bureau to discuss processing of their petitions. Inquiries regarding compliance with Section 310 of the Communications Act and the filing and processing of petitions for declaratory ruling should be directed to Claudia Fox, Chief of the Policy and Facilities Branch, Telecommunications Division, International Bureau, at (202) 418-1460.

Note: There is no need to include an Exhibit B if the applicant responded "No" to Questions 40 through 44.

³ Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, IB Docket No. 97-142, Market Entry and Regulation of Foreign-Affiliated Entities, IB Docket No. 95-22, *Report and Order and Order on Reconsideration*, 12 FCC Rcd. 23891 (1997) (“*Foreign Participation Order*”), *Order on Reconsideration*, FCC 00-339 (rel. Sept. 19, 2000).

EXHIBIT C: DESIGNATED ENTITIES

Pursuant to Sections 27.502(c), 1.2110(f)(ii) and (iii) of the Commission's Rules, 47 C.F.R. §§ 27.502(c), 1.2110(f)(ii), (iii), small businesses and very small businesses are eligible for bidding credits of fifteen percent (15%) and twenty-five percent (25%), respectively, to lower the cost of their winning bids. Small businesses and very small businesses are defined in Sections 27.502(a)(1) and (2) of the Commission's Rules, 47 C.F.R. §§ 27.502(a)(1) and (2). Applicants that are not claiming eligibility for bidding credits do not need to submit Exhibit C. We nonetheless note that we are interested in the status of applicants as minority-owned or women-owned businesses for statistical purposes.

In order to demonstrate eligibility for designated entity status, applicants must upload a file, select Attachment Type "Ownership" and enter "**Exhibit C: Designated Entities**" in the File Description field on the Attachment screen. In the exhibit, applicants should:

(i) Identify the applicant's claimed eligibility status and provide the gross revenues, computed in accordance with Section 1.2110 (n) of the Commission's Rules, 47 C.F.R. §1.2110 (n) separately and in the aggregate for each of the following: the applicant, its affiliates, its controlling interests, and affiliates of its controlling interests, and if a consortium of small business, the members comprising the consortium for the most recently completed three calendar or fiscal years preceding the filing of the applicant's FCC Form 175 based on audited financial statements. *See* 47 C.F.R. § 1.2112 (b)(iii).

- If the applicant does not have audited financial statements to document the gross revenue figures provided, it must provide a certification from its chief financial officer or its equivalent that the gross revenue figures indicated in its FCC Forms 175 and 601 applications are true, full, and accurate, and that the applicant does not have the audited financial statements that are otherwise required under our rules. *See* 47 C.F.R. § 1.2110(m).

(ii) List the names, addresses, and citizenship of all officers, directors, and other controlling interests of the applicants as described in Section 1.2110 of the Commission's Rules. *See* 47 C.F.R. § 1.2110.

- *Type of Interest Held*: Indicate whether the interest held is in the form of stocks, bonds, warrants, debt instruments, partnership, etc. If interests are held in stock, specify the class of stock and any voting rights associated with the stock. If the interests are held in a partnership, indicate whether the interests are limited or general partnership interests. *See* 47 C.F.R. § 1.2110(c)(2)(ii)(A).
- *Interests Held on Behalf of Others*: If an interest is held in trust, or on behalf of another person or entity, identify the party for whom the interest is held. *See* 47 C.F.R. § 1.2110(c)(2)(ii)(C).

(iii) Applicant must list any FCC-licensed entity or applicant for an FCC license, in which **any controlling interest** of the applicant owns a ten percent or greater interest or a total of 10 percent or more of any class of stock, warrants, options or debt securities. *See* 47 C.F.R. §1.2112(b)(ii). This list must include a description of each such entity's principal business and a description of each entity's relationship to the applicant.

For Small Businesses. Applicants claiming status as a small business must compute gross revenues in accordance with Section 27.502(a)(1) of the Commission's Rules, 47 C.F.R. §

27.502(a)(1). A small business is an entity that, together with its affiliates and controlling interests, has average annual gross revenues that are not more than **\$40 million** for the preceding three years. The gross revenues for each year for the applicant, its affiliates, its controlling interests, and affiliates of its controlling interest; (and, if a consortium of small businesses, the members comprising the consortium) should be separately identified and followed by the computed average total gross revenues for each over those years and the combined average gross revenues over those years. For purposes of determining whether an entity meets the definition, the gross revenues of the entity, its affiliates, its controlling interests, and affiliates of its controlling interest shall be considered on a cumulative basis and aggregated. 47 C.F.R. §§ 27.502(3). The status of the applicant as a minority-owned or women-owned business also is requested, but for statistical purposes only.

For Very Small Businesses. Applicants claiming status as a very small business must compute gross revenues in accordance with Section 27.502(a)(2) of the Commission's rules, 47 C.F.R. § 27.502(a)(2) to demonstrate such status under our rules. A very small business is an entity that, together with its affiliates and controlling interests, has average gross revenues that are not more than **\$15 million** for the preceding three years. The gross revenues for each year for the applicant, its affiliates, its controlling interests, and affiliates of its controlling interest; (and, if a consortium of small businesses, the members comprising the consortium) should be separately identified and followed by the computed average total gross revenues for each over those years and the combined average gross revenues over those years. For purposes of determining whether an entity meets the definition, the gross revenues of the entity, its affiliates, its controlling interests, and affiliates of its controlling interest shall be considered on a cumulative basis and aggregated. 47 C.F.R. §§ 27.502(3). The status of the applicant as a minority-owned or women-owned business also is requested, but for statistical purposes only.

For Small Business & Very Small Business Consortia. Applicants that applied as a **small business consortia** or **very small business consortia** as defined in Sections 27.502(a)(6) of the Commission's rules, 47 C.F.R. § 27.502(a)(6) must compute and indicate gross revenues as outlined above for **each** small or very small business in the consortium. That is, each business entity comprising the small or very small business consortia must qualify and show gross revenues separately. The gross revenues of each small or very small business shall not be aggregated. *See* 47 C.F.R. § 27.502(a)(6).

EXHIBIT D: AGREEMENTS & OTHER INSTRUMENTS

All applicants must provide a detailed explanation of the terms and conditions and parties involved in any bidding consortia, joint ventures, partnerships or other agreements or arrangements into which the applicant has entered relating to the competitive bidding process prior to the time the bidding was completed. *See* 47 C.F.R. §§ 27.507(a)(7), 1.2107(d).

Applicants claiming designated entity status must list and summarize all agreements and other instruments (with appropriate references to specific provisions in the text of such agreements and instruments) that support the applicant's eligibility as a small business, a very small business, or a consortium of small or very small businesses under sections 27.502(a)(1),(2),(6),(7) of the Commission's rules, including the establishment of *de facto* and *de jure* control. 47 C.F.R. §§ 27.502(a)(7), (b), 1.2112(b)(2). Such agreements and instruments include, but are not limited to, articles of incorporation and bylaws, shareholder agreements, voting or other trust agreements, partnership agreements, management agreements, joint marketing agreements, franchise agreements, and any other relevant agreements including letters of intent, oral or written. These applicants must also list and summarize any investor protection

agreements, including rights of first refusal, supermajority clauses, options veto rights, and rights to hire and fire employees and to appoint members to boards of directors or management committees. *See* 47 C.F.R. §§ 27.507(a)(7), 1.2112(b).

To comply with these requirements, applicants may either submit the agreements themselves or submit a detailed description of those agreements with proprietary information excluded. Applicants should upload the information in a file, select Attachment Type “Other” and enter “**Exhibit D: Agreements & Other Instruments**” in the File Description field on the Attachment screen. If applicants choose to submit the agreements, they can redact proprietary information or can seek confidentiality for those documents pursuant to section 0.459 of the Commission's rules, 47 C.F.R. § 0.459 (*see* discussion of confidentiality requests under “**Confidentiality Requests**” below).

EXHIBIT E: CONFIDENTIALITY REQUESTS

Applicants should be aware that all information required by the Commission's rules in connection with applications to participate in spectrum auctions is necessary to determine the applicants' qualifications and, as such, will be available for public inspection. Required proprietary information may be redacted, and confidentiality may be sought pursuant to Section 0.459 of the Commission's rules, 47 C.F.R. § 0.459. Applicants requesting confidential treatment for any information required as a condition to participate in the auction must follow the procedures set out in to Section 0.459 of the Commission's rules, 47 C.F.R. § 0.459. (Applicants submitting confidentiality requests should be aware that 47 C.F.R. § 0.459 was recently amended to set out more clearly what should be contained in a request that information not be routinely available for public disclosure. *See* Examination of Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission, *Report and Order*, GC Docket No. 96-55, FCC 98-184 (rel. Aug. 4, 1998)). Because the required information bears on an applicant's qualifications, the Commission envisions that confidentiality requests will not be routinely granted.

If an applicant has sought confidential treatment of any information, it must attach a statement explaining the request and referencing the particular information for which confidential treatment has been requested. To provide this information, applicants should upload this statement as a file, select Attachment Type “Confidentiality” and enter “**Exhibit E: Confidentiality Requests**” in the File Description field on the Attachment Screen. There is no need to include an Exhibit E stating there is no confidentiality request.

In addition, applicants must select Attachment Type “Confidentiality” for the particular exhibit for which they are requesting confidential treatment. Otherwise, the attachment will be available for public inspection.

EXHIBIT F: WAIVER REQUESTS

NOTE: This part does not apply to tribal lands waiver requests. *See infra* “Exhibit Y: Tribal Lands Waiver Requests,” at D-12.

In the event a winning bidder wishes to file a request for waiver, all such requests should be filed with the corresponding application. To provide a document describing the waiver request, Applicants should upload this statement as a file, select Attachment Type “Waiver” and enter “**Exhibit F: Waiver Requests**” in the File Description field on the Attachment screen. There is no need to include an Exhibit F stating there are no waiver requests.

Waiver requests filed after the submission of the FCC Form 601 may result in a delay of the processing of the application. If a request for waiver is filed separately from the FCC Form 601, such request must refer to the corresponding application.

EXHIBIT H: MISCELLANEOUS INFORMATION

In the event a winning bidder wishes to provide any additional information which does not fall within any of the other exhibits, these documents or files should be submitted by selecting Attachment Type “Other” and entering “**Exhibit H: Miscellaneous Information**” in the File Description field on the Attachment Screen.

IV. INSTRUCTIONS FOR APPLICANTS SEEKING TRIBAL LANDS BIDDING CREDITS

Filing the Long-Form Application: Winning bidders interested in receiving a tribal lands bidding credit must indicate on the long-form application (FCC Form 601, Schedule B) each market for which they will seek the credit by clicking on the appropriate box. *See* 47 C.F.R. §§ 1.2107(e), 1.2110(f)(3)(i). For a list of the tribal lands in each Major Economic Area (MEA), go to the Auction website at <http://www.fcc.gov/wtb/auctions> and click on “Info on Tribal Land Bidding Credit,” and then click on “List of Tribal Lands and Market Cross References.”

Applicants indicating that they intend to serve a qualifying tribal lands in any market(s) within the application will have an additional 90 days after the long-form application deadline within which to secure the necessary certifications from tribal authorities and amend their application to provide the requisite tribal information and documentation. Applicants seeking a tribal lands bidding credit for some, but not all, markets in which they were the high bidder are encouraged to submit two applications. One application will include markets in which the applicant intends to apply for a tribal lands bidding credit. The other application will include those markets in which the applicant is not seeking a tribal lands bidding credit.

If you intend to apply for tribal lands bidding credits, you must do so by the filing deadline for the long-form applications. Applicants will not be permitted to amend their applications to indicate that they intend to seek a tribal lands bidding credit for a market after the filing deadline. However, it is possible for applicants to amend an application to indicate that they no longer intend to seek tribal lands bidding credits in a particular market. Applicants that elect to seek the tribal lands bidding credit when they initially submit the long-form application, but then subsequently decide not to seek the credit, should amend their applications to delete the request for the tribal lands bidding credit.

Amending the Long Form Application: Within the 90-day period, the applicant must re-enter ULS to amend the long-form application. *See* 47 C.F.R. § 1.2110(f)(3)(ii).

- Enter the applicant’s Taxpayer Identification Number (TIN), Subgroup Identification Number (SGIN) if one was selected/assigned at TIN registration, and Password into the ULS Filing Screen.
- Select “Amendment” from the drop-down list and click “Continue.”
- Select the file number for the application to be amended.

- The system will display the first page of the long-form 601. If you are requesting a waiver pertaining to the tribal lands information or bidding credit, select “yes” for the third question on this page. Click “continue” when done.
- ULS will present a table consisting of the markets selected by the applicant on the initial long-form application as markets where a tribal lands bidding credit is being sought. ULS will also provide the names of the federally recognized tribal lands in each market and the square kilometers of each tribal lands within that market. The applicant must mark the tribal lands it intends to serve and attach a signed, tribal government certification from each of the federally-recognized tribal governments within 90 days. *See infra* “Exhibit X: Tribal Government Certification”.

ULS will automatically calculate the bidding credit amount for each market according to the size (in square kilometers) of the tribal territory within the market, and in compliance with the bidding credit limit. *See* 47 C.F.R. § 1.2110(f)(3)(iii), (iv); *see also* In the Matter of Extending Wireless Telecommunications Services to Tribal Lands, *Report and Order and Further Notice of Proposed Rule Making*, FCC 00-209, 15 FCC Rcd. 11,794, 11,803, at ¶ 25 (“*Tribal Lands Order*”). If multiple spectrum blocks are won in the same market, the winning bid amounts for the spectrum blocks serving tribal lands will be aggregated and the bidding credit limit will be applied against the aggregated amount. *See* Wireless Telecommunications Bureau Releases Additional Information Regarding the Procedures for Obtaining a Tribal Lands Bidding Credit and List of Tribal Lands, *Public Notice*, DA 00-2836, at 2 (rel. Dec. 14, 2000) [hereinafter *Tribal Lands Public Notice*].

If the applicant is seeking a bidding credit in excess of the amount calculated pursuant to Section 1.2110(f)(3), the applicant must submit a waiver request, pursuant to Section 1.925 of the Commission’s rules. *See* 47 C.F.R. § 1.925. Each waiver request will be evaluated on a case-by-case basis. *See infra* “Exhibit Y: Tribal Lands Waiver Requests,” at D-12.

Note: For technical reasons, applicants will not be able to amend their long-form applications to specify the tribal lands to be served and to provide tribal government certifications for each market immediately after the end of the filing window. This enhancement to ULS on-line filing will be announced in a separate public notice to be released shortly. This delay does not impact the applicant’s ability to indicate their intent to serve tribal lands at the long-form application stage; only to select the specific tribal lands and to file the required certifications.

EXHIBIT X: TRIBAL GOVERNMENT CERTIFICATION

Within the 90-day period, the applicant must amend its long-form application to provide the required tribal government certifications for each tribal land identified in the application. *See* 47 C.F.R. § 1.2110(f)(3)(ii)(A). The tribal government certifications **must be signed** by an officer, allotment owner(s), or corporate officer of the tribal lands, Indian allotment, or Alaska Native land, respectively, and uploaded as an Adobe Portable Document Format (PDF). Each tribal government certification should be attached separately by selecting Attachment Type “Tribal Government Certification” and entering “**Exhibit X: Tribal Government Certification**” in the Description Field on the Attachment Screen. In addition, the Description Field should indicate the market and tribal lands to which the certification pertains (*e.g.* Exhibit X: Tribal Government Certification (MEA003, Tonawanda Reservation)).

A tribal government certification must state that:

1. The tribal area to be served by the winning bidder is a federally-recognized Indian tribe's reservation, Pueblo, Colony, Alaska Native region, or Indian allotment, and has a telephone subscription rate at or below seventy (70) percent;
2. The tribal government has not and will not enter into an exclusive contract with the applicant precluding entry by other carriers, and will not unreasonably discriminate among wireless carriers seeking to provide service on the qualifying tribal land; and
3. The tribal government will permit the applicant to site facilities and provide service on its tribal land.

See 47 C.F.R. § 1.2110(f)(3)(ii)(A)(1)-(3); *see also Tribal Lands Public Notice*, DA 00-2836, at 3.

Exhibit Y: Tribal Lands Waiver Requests

Request for an additional bidding credit: If the applicant is seeking a credit in excess of the amount calculated according to Section 1.2110(f)(3), the applicant must submit a waiver request, pursuant to Section 1.925 of the Commission's rules. *See* 47 C.F.R. § 1.925; *see also Tribal Lands Order*, 15 FCC Rcd. at 11,805, at ¶ 29. These waiver requests are subject to the percentage cap on tribal lands bidding credits, and waivers will not be granted in excess of the applicable cap. *See Tribal Lands Order*, 15 FCC Rcd. at 11,805, at ¶ 29. This waiver request must demonstrate that the infrastructure costs exceed the amount of the standard bidding credit as calculated by ULS. *See id.* The applicant will need to supply a detailed showing of the projected infrastructure costs, including a certification by an independent auditor that the estimated costs are reasonable. *See id.* Each tribal land waiver request should be attached separately by selecting Attachment Type "Tribal Lands Waiver Requests" and entering "**Exhibit Y: Tribal Lands Waiver Requests**" in the Description Field on the Attachment Screen. In addition, the Description Field should indicate the market to which the waiver request pertains (*e.g.* Exhibit Y: Tribal Lands Waiver Requests (MEA003)).

Attachment E

INSTRUCTIONS FOR USING ULS TO REGISTER TIN AND CALL SIGNS WITH FCC AND FILE FCC FORM 601 ELECTRONICALLY

Following are instructions for using the Universal Licensing System (ULS) to electronically register a Taxpayer Identification Number (TIN) and call signs with the FCC and to electronically file FCC Form 601. To perform either of these procedures, you must first reach ULS through the Internet (<http://www.fcc.gov/wtb/uls>) or through a direct dial-up connection. (Attachment F describes how to establish a direct connection to the FCC Network using the Dial-Up Networking features of Windows 95/98.)

We recommend that you use Netscape Communicator 4.75 (Internet web browser software) to use ULS to electronically register and file FCC Form 601.

Note: To download Netscape Communicator 4.75 free of charge, access the Netscape download site at <http://home.netscape.com/download/>

Conventions

The instructions in this attachment use the following typographical conventions:

- bold** Represents objects on the screen that you click with the mouse pointer, including buttons, Internet links, icons, tabs, menu items (e.g., **Cancel** button, **Auctions** link, **Save** option in the File menu).
- italic* Represents field names or areas of a screen (e.g., *Licensee Name* field, *Applicant Information* area of a screen).
- bold italic*** Represents characters that you must type exactly as they appear in the instructions. For example, if you are instructed to type ***http://www.fcc.gov*** you should type all of the characters shown in bold italic exactly as they are printed.
- SMALL CAPS Represents keys on the keyboard (e.g., ENTER, CTRL, ESC).

Registering TIN and Call Signs with the FCC Electronically

Before filing FCC Form 601 electronically, the applicant's Taxpayer Identification Number (TIN) and call signs must be registered with the FCC's Universal Licensing System (ULS). If you have already registered your TIN and call signs with the ULS, proceed to the "Filing FCC Form 601 Electronically" instructions.

To register a TIN and its associated call signs, do the following:

1. Select one of the following access options:

Dial-Up Access

- a. Use Dial-Up Networking in Windows 95/98 to connect to the FCC Network (see Attachment F).

Note: If your PC is connected to a network, you must use a secure proxy to access the FCC Network. Consult your Network Administrator.

- b. Start your web browser. In the location field of the web browser screen, type ***http://wtbwww05.fcc.gov*** Then press the ENTER key.

Internet Access

- a. Connect to the Internet and start Netscape Communicator.
 - b. In the location field of the web browser screen, type ***http://www.fcc.gov/wtb/uls*** Then press the ENTER key.
2. Verify that Java and JavaScript are enabled in your web browser preferences. Additionally, the preferences must specify "Accept all cookies." Refer to your web browser Help facility for more information.
 3. Once you have accessed the Universal Licensing System home page, click the **TIN/Call Sign Registration** button.
 4. On the ULS TIN/Call Sign Registration screen, click **Register Now** to select it, then click the **Continue** button.
 5. On the next screen, identify whether you are registering as a business entity (e.g., corporation, partnership, government entity, etc.) or an individual. Click the desired option to select it, then click the **Continue** button to access the registration form.

Note: The TIN provided must be that of the licensee and not of an agent or representative of the licensee (e.g., law firm or consultant).

6. Complete the registration form. Click the **Help** button at any time for additional information on completing the online registration form.

Sub-Group Identification Number: If you are registering as a business entity, you can specify a Sub-Group Identification Number for the registering party. Enter three alphanumeric characters. This field is not required if you have a unique Taxpayer Identification Number that is not used by any other licensee. If you do not need an SGIN, fill in this field with three zeroes.

An SGIN is required in instances where the applicant or licensee does not have a unique TIN because it is a sub-group or department of the entity defined by the TIN (e.g., a governmental entity or academic institution) and therefore shares the TIN with other sub-groups or departments of the same entity. The SGIN allows each sub-group to track the licenses it holds.

7. Specify the password and personal or corporate identifier that you will use in conjunction with your TIN. In the *New Password* field, enter a password of at least 5 characters.

Basic guidelines for selecting your password:

- Specify a password that you will be able to remember easily. For security purposes, avoid selecting an obvious password that someone else could easily guess, such as spouse's name, child's name, etc.
- Your password must be at least 5 characters but no more than 30 characters.
- You may use letters, numbers, or symbols in your password.
- Write down your password and keep it in a secure place.
- Note that your password is case sensitive. For example, if you specify "station" (lowercase) as your password, you must always enter "station" in lowercase during ULS login. "Station" or "STATION" will not be accepted.

8. Re-enter your password in the *Verify Password* field. This entry must be an exact replication of the password entered in the *New Password* field.
9. In the *Personal Identifier* or *Corporate Identifier* field, enter a word (of your choice) to serve as your personal identifier (if individual) or corporate identifier (if business entity).

Note: For security purposes, you will be required to correctly enter your TIN and password prior to accessing the ULS for filing applications online or updating your registration information. *If you forget your password, contact FCC Technical Support at (202) 414-1250 (voice) or (202) 414-1255 (TTY).*

10. When you have completed the registration form, click the **Submit** button.

If you have entered any incomplete or erroneous information, an Errors screen lists the errors. Click **Return**, make your corrections, then click **Submit** again. Note that an application cannot be submitted until all errors have been corrected.

11. A screen appears requesting you to identify the call signs (if any) to be associated with your TIN. Even though you already have licenses issued by the FCC Wireless Telecommunications Bureau, you must identify to the ULS the call signs that are to be associated with your TIN.

If you do not have any call signs to register, click the **Submit** button and proceed to step 14.

12. Follow the instructions on the screen to select a call sign entry method. Note: You must use the **Upload Call Signs** option if you have *more than 100 call signs*.

Click the **Help** button for additional call sign entry instructions.

13. After entering your call signs, click the **Submit** button.

14. When your registration has been successfully submitted to the FCC, a confirmation message screen appears. This screen shows the TIN, password, and personal or corporate identifier that you just registered.

Important: Your registration has not been successfully submitted to the ULS unless this confirmation screen appears.

15. From the confirmation screen, click the **Home** button to return to the ULS home page.

Note: *If the applicant is owned by a Real Party in Interest, the TIN of that entity must also have been registered with the FCC.*

Filing FCC Form 601 Electronically

After the applicant's TIN is registered with the FCC, the FCC Form 601 can be filed electronically. Do the following:

1. Select one of the following access options:

Dial-Up Access

- a. Use Dial-Up Networking in Windows 95/98 to connect to the FCC Network (see Attachment F).

Note: If your PC is connected to a network, you must use a secure proxy to access the FCC Network. Consult your Network Administrator.

- b. Start your web browser. In the location field of the web browser screen, type ***http://wtbwww05.fcc.gov*** then press the ENTER key. This will access the Universal Licensing System home page.

Internet Access

- a. Connect to the Internet and start Netscape Communicator.
 - b. In the location field of the web browser screen, type ***http://www.fcc.gov/wtb/uls*** Then press the ENTER key. This will access the Universal Licensing System home page.
2. Click the **Online Filing** button. **Please read the important note below regarding a new feature in ULS.**

Note: ULS now utilizes a Smart Update feature for its Java-based applications. If you are accessing ULS for the first time since November 20, 2000, ULS will automatically initiate installation of the Smart Update files. The Smart Update feature greatly enhances the performance and speed of Netscape Communicator when using ULS applications.

- The system will display a Java security window. Click on the Grant button when prompted.
- Exit and restart Netscape Communicator. (You do not need to terminate the connection to the FCC Network.) Repeat step 2 to continue with electronic filing.

This configuration sequence will also occur occasionally in the future as Smart Update is upgraded.

3. On the login screen, type your Taxpayer Identification Number (TIN) in the login field.

4. In the *Password* field, type the password you selected during TIN registration.

This field is case sensitive; be sure to type the password exactly as you specified it when you registered with the FCC. For example, if you registered with the password **PASSWD**, do not type *passwd*.

5. Click the **Continue** button.

If you enter an incorrect TIN and/or password, an error message will appear. You must then type the correct information and click **Continue** again. (If you have not yet registered your TIN with the FCC, you must do so before filing. See the first part of this attachment for instructions.)

6. After you have entered your TIN and password correctly, you will see one of the following screens:

- If you have completed applications filed within this business day for non-auctionable applications or within the initial filing window for New auctionable applications, or you have existing incomplete applications, a work-in-progress screen appears listing these applications. You may finish an incomplete application or modify a completed application by clicking on it. Once the application is opened, follow the “Basic Guidelines for Filing Form 601 Online” in Step 9. To create a new application to submit, click the **Select New Filing** button.
- If you do not have existing incomplete applications or completed applications filed this business day for non-auctionable applications or filed within the filing window for New auctionable applications, a screen appears requesting you to select an application purpose.

7. Click the down-arrow button at the end of the *Purpose of Application* field to obtain the drop-down menu, and click on New for the purpose of filing. Click on **Continue** to proceed.
8. Select the appropriate auction ID **or** radio service code and click on **Continue**.
9. The ULS screens will guide you through the filing process specific to your purpose of application. Basic filing guidelines for filing Form 601 are provided below. See Attachment D for further information on Form 601.

Click the ? (Help) button at any time for specific filing instructions for each application purpose.

Basic Guidelines for Filing Form 601 Online:

- Some of the data entry fields on the online application form may be prefilled with information from the TIN registration process or Form 175 process for auctionable applications.
 - The online application consists of data entry fields as well as “yes or no” questions. You must respond to all of the “yes or no” questions on the application. If you respond Yes to a question, you may be required to file an attachment explaining the specific circumstances (see form for specific instructions).
 - An **Attachments** button is provided for uploading attachment files. You are responsible for filing all required attachments.
 - If you have entered any incomplete or erroneous information, an Errors screen lists the errors. Click **Return**, make your corrections, then click **Continue** again. You can **Save** your application and complete it at a later date, if necessary. Saved applications must be completed within 30 days. (Applications for auctionable services must be completed within the specific filing window of the auction.)
 - Prior to submitting an application, you may click the **Print Preview** button (where available) to create a preview of your completed application.
10. When your application has been successfully submitted to the FCC, a confirmation message screen appears. This screen shows a file number for the application.
- Important:** Your application has not been successfully submitted to the FCC unless you have received a file number assigned by the Universal Licensing System.
11. To print a copy of the submitted application:
- a. Click the **Print Preview** button to see the formatted version of the application.
- Note that the file number is at the top of the form. If there is no file number present, this application has not been successfully submitted to the FCC.
- b. A separate browser window will display the formatted application. Print the application by clicking your browser's **Print** button.
 - c. To return to the confirmation screen, close the Print Preview window
12. From the confirmation screen, you can click the **Home** button to return to the ULS home page or the **Login** button if you wish to log in again submit another application.

Changing an Application

Once you have submitted an application to the FCC, but the FCC has not yet granted your requested licenses, you can still make changes to that application. Use the Universal Licensing System (ULS) to change a pending application before or after the FCC Form 601 filing deadline, as follows:

- To make changes to a pending application at any time **before the 6:00 P.M. ET filing deadline on March 8, 2001**, perform the preceding Steps 1 through 6. When the screen listing pending applications appears, find the entry for the application you want and click that entry. The pending application will appear, and you can change it and then submit the updated version.
- To make changes to a pending application **after the 6:00 P.M. ET filing deadline on March 8, 2001**, perform the preceding Steps 1 through 6. When the Purpose of Application screen appears, obtain the drop-down menu and select **Amendment**, then click the **Continue** button. On the next screen, obtain the drop-down menu on the *File Number* box, select the file number for the application you want to amend, and then click the **Continue** button. The pending application appears, and you can change it and then submit the amended version.

Important: FCC rules contain limitations on filing of major amendments after the **March 8, 2001** deadline that may affect the applicant's legal rights. Acceptance of an amendment by the ULS does not indicate that the amendment is allowed under the rules. Applicants are advised to consult FCC rules in this regard prior to filing an amendment. Once the FCC has granted a request for a license, you can change that license by requesting a modification. To begin, perform the preceding Steps 1 through 6. When the Purpose of Application screen appears, obtain the drop-down menu and select **Modification**, then click the **Continue** button. On the next screen, obtain the drop-down menu on the *Call Sign* box, select the call sign for the license you want to modify, and then click the **Continue** button.

Technical Support

For technical assistance with installing or using FCC software, contact the FCC Technical Support Hotline at (202) 414-1250 (voice) or (202) 414-1255 (TTY). The FCC Technical Support Hotline generally is available Monday through Friday from 7 a.m. to 10 p.m. ET, and Saturday 8 a.m. to 7:00 p.m. ET, and Sunday 12:00 p.m. to 6 p.m. ET. Closed all government holidays. All calls to the FCC Technical Support Hotline are recorded.

Attachment F

ACCESSING THE FCC NETWORK USING WINDOWS 95/98 FOR UNIVERSAL LICENSING SYSTEM FILING

This attachment describes how to use Windows 95/98 Dial-Up Networking to establish a direct connection from your PC to the FCC Network and the Universal Licensing System (ULS) in order to file or review the Form 601. This involves configuring dial-up network access and then performing the direct dial-up procedure. *This point-to-point connection is not routed through the Internet.*

*Please note that a direct dial-up connection is **not** required to perform ULS online filing. You may file or review Form 601 on the Internet by entering <http://www.fcc.gov/wtb/uls> on your Netscape 4.75 Web browser and clicking the **Online Filing** button.*

Conventions

The instructions in this section use the following typographical conventions:

- bold** Represents objects on the screen that you click with the mouse pointer, including buttons, Internet links, icons, tabs, menu items (e.g., **Cancel** button, **Auctions** link, **Save** option in the File menu).
- italic* Represents field names or areas of a screen (e.g., *Applicant* field, *Selected Licenses* area of a screen).
- bold italic*** Represents characters that you must type exactly as they appear in the instructions. For example, if you are instructed to type ***http://wtbwww05.fcc.gov***, you should type all of the characters shown in bold italic exactly as they are printed.
- SMALL CAPS Represents keys on the keyboard (e.g., ENTER, CTRL, ESC).

Note: Throughout these instructions, “enter” means to type the appropriate information and then press the ENTER key.

Hardware and Software Requirements

To connect to the FCC Network using Windows 95/98 Dial-Up Networking requires *at a minimum* the following hardware and software:

Hardware Requirements

- CPU: Pentium or above
- RAM: 32 MB (more recommended if you have multiple applications open)
- Monitor: VGA or above
- Modem: 28.8 Kbps, Hayes-compatible or faster (recommend 56.6 Kbps)
- Mouse or other pointing device

Software Requirements

- Netscape Communicator 4.75 is recommended. However, you can also use Netscape Communicator 4.73, 4.72, 4.7, 4.51 or 4.61. (Note that Netscape Communicator 4.6 and Netscape Communicator versions earlier than 4.51 are *not* compatible.)

To download Netscape Communicator 4.75 free of charge, access the Netscape download site at <http://home.netscape.com/download/>

- Microsoft Windows 95/98

Note: If you are running Windows in a networked environment, check with your local network administrator for any potential conflicts with the Windows 95/98 Dial-Up Networking. This usually includes any TCP/IP installed network protocol.

- Adobe Acrobat 3.0 Reader (or higher) is recommended as a plug-in to your browser. This provides a viewer for displaying files related to applications, such as attachments and exhibits. For best results, install the plug-in after you have installed the desired web browser. This will allow the plug-in to be fully integrated within the browser window.

To download Adobe Acrobat version 3.0 or higher, access the Acrobat download site at <http://www.fcc.gov/wtb/reader/>

Configuring Dial-Up Networking

1. To start dial-up networking:
 - a. Click the Windows 95/98 **Start** button.
 - b. Click the **Programs** option to display the Programs menu.
 - c. Click the **Accessories** option to display the Accessories menu.
 - d. In Windows 95, click **Dial-Up Networking**.
In Windows 98, click **Communications**, then **Dial-Up Networking**.

If Dial-Up Networking is not an option on your Accessories menu, you should install it from your Windows 95/98 CD or diskettes.

2. When the Dial-Up Networking window appears, double-click the **Make New Connection** icon.

The Make New Connection window appears.

3. In the field entitled *Type a name for the computer you are dialing*, type **ULS at FCC**.

4. In Windows 95, click the down arrow at the right of the *Select a modem* field and select your modem from the menu of available modems.

In Windows 98, click the down arrow at the right of the *Select a device* field and select your modem from the menu of available devices.

If your modem does not appear on this list, you must install your modem driver according to the modem manufacturer installation procedures, which are usually described in your modem's user manual.

5. Click the **Configure** button. Click the **Options** tab at the top of the Properties window.
6. In the *Connection control* area of the **Options** tab, verify that **neither** option is selected. If either option is selected, click the check box at the left of the option to deselect it. Then click the **OK** button.
7. Click the **Next** button.

8. Type **800** in the *Area Code* field and **844-2784** in the *Telephone Number* field. Verify that the correct country is selected in the *Country code* field. If necessary, click the down arrow at the right of the *Country code* field and select the appropriate country from the menu of available countries.
9. Click the **Next** button.
10. Click the **Finish** button. An icon titled **ULS at FCC** appears in the **Dial-Up Networking window**.
11. Verify that properties are configured correctly before attempting a dial-up session. Position the mouse pointer on the **ULS at FCC** icon and click the *right* mouse button to display a menu. Select **Properties** from the menu.
12. Click the **Server Types** tab at the top of the Properties window.
13. In the *Advanced Options* area, verify that only *Enable software compression* is selected.

If it is not selected, click the check box at the left of the option to select it. If either of the other options is selected, click the check box to deselect it.

14. In the *Allowed Network Protocols* area, verify that only *TCP/IP* is selected.

If it is not selected, click the check box at the left of the option to select it. If either of the other options is selected, click the check box to deselect it.
15. Click the **TCP/IP Settings** button. In the **TCP/IP Settings** window, confirm that the *Server assigned IP address* option is selected. Then, in the section beneath, select *Specify name server addresses*.
16. Type **192.104.54.1** as the *Primary DNS*.

Make sure that these two options are checked:

- Use IP header compression
 - Use default gateway or remote network
17. Click **OK** on the **TCP/IP Settings** window and the **Server Type** window.
 18. a. Click the Windows 95/98 **Start** button, then click the **Settings** option to display the Settings menu.

- b. Click **Control Panel** and then double-click the **Network** icon.
- c. In the *Configuration* tab of the **Network** window, select *TCP/IP* and click the **Properties** button. (If there are multiple TCP/IP protocols, select *TCP/IP*, then highlight *Dial-Up Adapter* and click **Properties**.)
- d. Click the *DNS Configuration* tab.
- e. Select *Enable DNS*. Type *bidder* in the *Host* box, type *fcc.gov* in the *Domain* box, then type *192.104.54.1* in the DNS Server Search Order box and click the **Add** button.
- f. Click **OK** on the TCP/IP Properties windows, then click **OK** on the **Network** window.
- g. If you are prompted to restart your computer, click **Yes** to restart, then begin the Dial-Up Procedure.

Dial-Up Procedure

1. If the Dial-Up Networking window is not currently open, do the following:
 - a. Click the Windows 95/98 **Start** button.
 - b. Click the **Programs** option to display the Programs menu.
 - c. Click the **Accessories** option to display the Accessories menu.
 - d. In Windows 95, click **Dial-Up Networking**
In Windows 98, click **Communications**, then **Dial-Up Networking**.

The Dial-Up Networking window appears.

2. Double-click the **ULS at FCC** icon in the Dial-Up Networking window.
3. Click the **Connect** button on the window. *Do not enter User name and Password.*

The Connecting window appears, indicating the status of your connection as your modem dials into the system. This window must remain running during your dial-up session. You may minimize the window, if you wish.

If your modem fails to establish a connection, please see the *Troubleshooting* section below.

4. Once the connection is established, open your Web browser.

5. In your browser's location field, enter *http://wtbwww05.fcc.gov*

If nothing appears in your Web browser, see the *Troubleshooting* section below.

6. When you have finished, exit the Web browser, then click the **Disconnect** button on the Connecting window to end your dial-up session.

Troubleshooting

Following are problems you may encounter and possible solutions for resolving or isolating them.

Modem does not respond

1. Confirm that all physical connections for the modem are present.
2. Confirm that the phone line is active by connecting it to a telephone and checking for a dial tone.
3. Confirm that the correct modem driver is installed for your modem.

Modem dials but does not connect

1. Confirm that the number the modem is dialing is correct.
2. Confirm that the modem prefix, if any, is correct.

Modem dials and connects, but nothing appears when you enter the location in the Web browser

1. Check the settings in your dial-up networking icon, particularly that the *Primary DNS* is **192.104.54.1** and that *TCP/IP* is the only selected protocol.
2. Confirm that your web browser is not using proxies; it should be set to "direct connection to the Internet".
3. If you do log into a TCP/IP LAN, confirm that your LAN network IP address is being released.

To do so, connect to the FCC Network using dial-up networking, then click the **Start** button in Windows 95/98 and select **Run**. Type *winipcfg* and press **OK**. If your IP

address does not begin with “192.104.”, then your LAN IP address is not being released. Click the **Release All** button, or consult your LAN administrator.

Receive an Internal Server error in the Web browser

1. Confirm that the address entered in the location field is correct (<http://wtbwww05.fcc.gov>).
2. Confirm that *Java* and *JavaScript* are enabled in your Web browser, and confirm that *Cookies* is set to Accept All.

Help

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