



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>
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DA 02-264

February 4, 2002

AUCTION OF CONSTRUCTION PERMITS FOR NEW ANALOG TELEVISION STATIONS

Non-Qualified Bidder

Report No. AUC-02-82-F (Auction No. 82)

This Public Notice provides information regarding an applicant, Terrill Weiss (“Weiss”), that has been found not qualified to bid in Auction No. 82, scheduled to begin on Tuesday, February 5, 2002. The Commission has updated the FCC Form 175 database and electronic bidder cross reference file to reflect this change. Bidders or other parties that have downloaded the cross reference files before noon, February 4, 2002, should download the files again.

Weiss was previously found qualified to bid in Auction No. 82¹ but submitted an amendment to his FCC Form 175 (short-form application) which constitutes a major amendment under Section 1.2105(b)(2) of the Commission’s Part 1 competitive bidding rules.² Under Section 1.2105(b)(2), when an amendment to a short-form application includes changes in ownership of the applicant that would constitute an assignment or transfer of control, the application will be considered to be newly-filed and may not be resubmitted after the short-form application filing deadline.³ Accordingly, the short-form application to participate in Auction No. 82 filed by Terrill Weiss on June 29, 2001 is dismissed.

For additional information regarding this *Public Notice*, please contact Kenneth Burnley, Legal Branch, Auctions and Industry Analysis Division, at (202) 418-0660.

¹ See Auction of Construction Permits for New Analog Television Stations; 12 Qualified Bidders; *Public Notice*, DA 02-155 (rel. January 22, 2002) (“*Auction No. 82 Qualified Bidders Public Notice*”).

² 47 C.F.R. § 1.2105(b)(2).

³ See 47 C.F.R. §§ 1.2105(b)(2), 1.2110(c)(2), 1.2112(a). See also Auction No. 82 Construction Permits for New Analog Television Stations Scheduled for February 5, 2002, Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Procedural Issues, *Public Notice*, DA 01-2882 at 11 (rel. December 13, 2001) (“*Auction No. 82 Procedures Public Notice*”).