



PUBLIC NOTICE

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

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DA 01-266
January 31, 2001

AUCTION OF LICENSES FOR THE 747-762 AND 777-792 MHz BANDS POSTPONED UNTIL SEPTEMBER 12, 2001

Report No. AUC-01-31-A (Auction No. 31)

The upcoming auction of licenses in the 747-762 and 777-792 MHz band (Auction No. 31), scheduled to begin on March 6, 2001, is postponed until September 12, 2001.

On January 18, 2001, Verizon Wireless (“Verizon”) submitted a letter to the Wireless Telecommunications Bureau (“Bureau”) requesting a postponement of Auction No. 31.¹ Later that day, the Bureau released a *Public Notice* seeking comment on Verizon’s request.² The Bureau received 13 timely-filed comments in response to the January 18th *Public Notice*.³ A majority of commenters support a postponement of this auction,⁴ while others oppose any delay.⁵ Under the current circumstances, the

¹ Letter from John T. Scott, Vice President and Deputy General Counsel, Verizon Wireless, to Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau (filed Jan. 18, 2001).

² “Wireless Telecommunications Bureau Seeks Comment on Request for Postponement of Auction of Licenses in the 747-762 and 777-792 MHz Bands,” *Public Notice*, DA 01-143 (rel. Jan. 18, 2001).

³ A listing of the parties that submitted filings in response to the January 28th *Public Notice* is appended hereto.

⁴ See Comments of Cingular Wireless (filed Jan. 24, 2001); “Verizon Is Right: Delay Auction No. 31,” Comments of Ronald M. Harstad, Aleksandar Pekec and Michael H. Rothkopf (filed Jan. 24, 2001); letter from Richard C. Barth, Vice President and Director, Motorola, Inc., to Magalie Roman Salas, Secretary, FCC (filed Jan. 24, 2001); letter from Robert S. Foosaner, Senior Vice President and Chief Regulatory Officer, Nextel Communications, Inc., to Magalie Roman Salas, Secretary, FCC (filed Jan. 24, 2001); Comments of Spectrum Exchange Group, LLC (filed Jan. 24, 2001); Comments of Telephone and Data Systems, Inc. (filed Jan. 24, 2001); Comments of APCO (filed Jan. 24, 2001); Comments of the Cellular Telecommunications & Internet Association (filed Jan. 24, 2001); and Comments of AT&T Wireless Services, Inc. (filed Jan. 24, 2001). The Bureau also received *ex parte* or late-filed submissions from two parties. See *ex parte* notice of Sara F. Liebman, Mintz Levin Cohn Ferris Glovsky Popeo, LLC, on behalf of AT&T Wireless Services, Inc. (filed Jan. 24, 2001); *ex parte* notice from Brian T. O’Connor, Vice President, VoiceStream Wireless Corporation (filed Jan. 25, 2001); and letter from Brian T. O’Connor, Vice President, VoiceStream Wireless Corporation, to Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau (filed Jan. 25, 2001).

⁵ See Comments of Equity Broadcasting Corporation (filed Jan. 24, 2001); Comments of Paxson Communications Corporation (filed Jan. 24, 2001); Comments of the Rural Telecommunications Group (filed Jan. 24, 2001); letter

Bureau believes that a brief delay is warranted to provide additional time for bidder preparation and planning and for reasons of auction administration, consistent with the Commission's obligations under Section 309(j)(3)(E) of the Communications Act of 1934, as amended.⁶

The short-form (FCC Form 175) application filing window for Auction No. 31 is now closed. Any applications that were in the system are deemed ineffective and will be purged from the system. The new schedule is as follows:

Filing Deadline for FCC Form 175	August 17, 2001; 6:00 PM ET
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Auction Start Date	September 12, 2001
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The Bureau will announce other pre-auction deadlines in a subsequent public notice.

Action by Chief, Wireless Telecommunications Bureau.

For further information, contact Howard Davenport or Bill Huber, Auctions Legal Branch at (202) 418-0660, or Kathy Garland, Auctions Operations at (717) 338-2801.

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from Kent E. Lillie, President and Chief Executive Officer, Shop At Home, Inc., to Magalie Roman Salas, Secretary, FCC (filed Jan. 24, 2001).

⁶ 47 U.S.C. § 309(j)(3)(E).

APPENDIX:
Submissions in Response to January 28, 2001 *Public Notice* (DA 01-143)

Comments:

1. Association of Public-Safety Communications Officials-International, Inc.
2. AT&T Wireless Services, Inc.
3. Cellular Telecommunications & Internet Association
4. Cingular Wireless
5. Equity Broadcasting Corporation
6. Ronald M. Harstad, Aleksandar Pecec and Michael H. Rothkopf
7. Motorola, Inc.
8. Nextel Communications, Inc.
9. Paxson Communications Corporation
10. Rural Telecommunications Group
11. Shop at Home, Inc.
12. Spectrum Exchange Group, LLC
13. Telephone and Data Systems, Inc.

***Ex Parte* Filings and Late-Filed Comments:**

1. AT&T Wireless Services, Inc.
2. VoiceStream Wireless Corporation