

### Form 175 and Overview of Radio Service and Auction Rules

# LPTV and TV TRANSLATOR DIGITAL COMPANION CHANNEL FILING WINDOW

(Auction No. 85)

Lisa Stover, Auctions Marketing Specialist, ASAD Hossein Hashemzadeh, Associate Chief, Video Division, MB Lynne Milne, Attorney, ASAD



### Disclaimer

Nothing herein is intended to supersede any provision of the Commission's rules or public notices. These slides should not be used as a substitute for a prospective applicant's review of the Commission's relevant orders, rules, and public notices. Prospective applicants must familiarize themselves thoroughly and remain current with the Commission's rules relating to low power television, television translator, and Class A television broadcast rules relating to application and auction procedures, and the procedures, terms and conditions contained in the Auction No. 85 public notices.





### **Questions?**

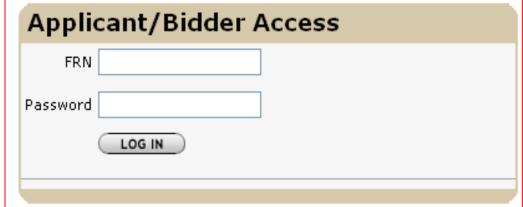
If you are viewing this presentation live over the web, please feel free to email your questions to...

# auction85@fcc.gov





#### Integrated Spectrum Auction System



Public Access	
▶ <u>Auction Applications</u>	
Auction Information (select an auction)	
▶ <u>ULS License Search</u>	
FCC Auctions Home	

#### **Log In Information**

The Applicant/Bidder Access section is password protected. Please type your FCC Registration Number (FRN) and its associated password to access the Auction Application or Bidding system. An FRN/password is not required for the Public Access section of the system.

- Forgot your Password?
  FRN hotline information
- Need an FRN?
  Register with the FCC
- Not sure if you have an FRN?

  Search the FCC Registration System

  database to determine if you have been assigned an FRN.



#### Integrated Spectrum Auction System



GO

#### **Public Access**

- Auction Applications
- Auction Information (select an auction)
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  database to determine if you have been assigned an FRN.

#### My Auctions Page

Logged In: FRN 0010845105 (Log Out)

GO

#### **Pre-Auction**

- File new or modify an existing auction application Enter Auction Application Manager
- How do I request a refund of my upfront payment? See Wire Transfer for Refund Purposes

#### **Online Bidding**

There are no LIVE auctions available.

There are no MOCK auctions available.

#### **Post-Auction**

- How do I make my downpayment or final payment? Making a downpayment or final payment See FCC Form 159
- Where do I file my license application? See Universal Licensing System
- How do I request a refund of my upfront payment? See Wire Transfer for Refund Purposes

#### **Public Access**

- Auction Applications
- Auction Information (select an auction)
- <u>ULS License Search</u>
- ▶ FCC Auctions Home



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0010845105 (Log Out)



#### **Auction Application Manager**

**Create or Review Auction Applications** 

Approved by OMB 3060-0600 (Notice to Applicants)

#### Create New Application

Auction 185 LPTV/Class A Television -- Initial Filing Window closes 6/30/2006, 6:00 PM

#### **Review or Modify Existing Applications**

Auction	Applicant Name	Application Status	Last Modified	Last Submitted	
65 Initial Filing Windo	Bidder One Corporation ow Closed 4/3/2006, 6:00 PM	Submitted	3/8/2006, 3:40 PM	3/7/2006, 4:00 PM	\$ 2 2
185 Initial Filing Windo	Bidder One Corporation ow Closed 4/10/2006, 4:31 PM	Not Submitted	4/3/2006, 11:46 AM		
\$ - Upfront Payr	ment Calculator and Form 159	🔁 - Refund Form 🛮 🕜 - Edit A	Application 🏿 📳 - Withdraw App	olication 🝳 - Search	

#### Documentation

Auction:

3 - PCS Narrowband Region





FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0010845105 (Log Out)

Auction 185

LPTV/Class A Television

Applicant:

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

Summary

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Print Preview 2 Help X Quit

#### **Applicant Information**

Applicant information identifies the applicant, its responsible parties (where applicable), its auction contact party, and its bidding eligibility. The contact person will receive all auction correspondence. The applicant name will be used as the bidder name during the auction.

#### **Applicant Legal Classification**

Fo determine the applicant information required by the FCC please provide your Legal Classifi
---

- Consortium
- Corporation
- General Partnership
- Government Entity
- Individual
- Limited Liability Company
- Limited Liability Partnership
- Limited Partnership
- Trust
- Unincorporated Association

_	Description	of Legal	Classificatio
🔵 Other:			

#### Applicant Status (not required)

What is your status? Check all that apply.

- Minority Owned Business
- Rural Telephone Company
- Woman Owned Business

#### Noncommercial Educational Election (Mandatory)

Are you a nonprofit educational organization or a municipality applying for a station eligible to be licensed as a noncommercial educational radio or television broadcast station?

Yes

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#### **Common Ouestions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What if my Legal Classification is not listed?

Why is the FCC requesting an Applicant Status?

What does the Quit link do?

Which applicants should check "Yes" to Noncommercial Educational election?

Can an applicant check "yes" to the NCE election and later de-select it?

Do I risk return of my application as unacceptable for filing if I seek a construction permit for a NCE station?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0010845105 (Log Out)

Auction 185

LPTV/Class A Television

Applicant:

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

Summary

A legal Classification must be selected in order to proceed

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#### **Applicant Information**

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_		Desci	ihr
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Description of Legal Classification

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FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0010845105 (Log Out)

#### Auction 185

LPTV/Class A Television

Applicant:

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

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#### **Applicant Information**

#### **Applicant Name**

Please provide the following information. The name entered will be used as the Bidder Name during the auction.

Bidder One Corporation Entity Name:

Jurisdiction of Formation:

District of Columbia



#### Applicant Address (PO Boxes are not permitted)

Click here if address is located outside the US.

Address Line 1: 123 Auction Ln

Address Line 2:

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City: Washington

State: District of Columbia

Zip Code: 20554



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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is a Jurisdiction of Formation?

Why is the applicant's citizenship/jurisdiction of formation required?

Why are P.O. boxes not permitted?



FCC > Wireless > Auctions > Auction Application

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#### Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

#### Summary

Suffix







#### **Applicant Information**

Responsib	le Party	r - Corp	oration
-----------	----------	----------	---------

Identify an individual as the responsible party for the Corporation

First

Officer or Director

Title: President

> Area 202

Imma

Ext.

Bidder

Telephone Number:

Name:

418 - 0000

Email Address: Imma.Bidder@fcc.gov

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

Do I have to fill in the Telephone Number and Email Address for our responsible party?

Who is considered to be a Responsible Party?



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Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

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Status: Not Submitted

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Print Preview 2 Help 🗷 Quit

#### **Applicant Information**

Contact Information			
Identify an official contact	t to receive all auction corresponde	nce.	
Name:	First MI Last   Bidd	Suffi er	fix
Telephone Number:	Area Ext. 202 418 - 0000		
Fax Number:	202 418 - 1111		a Tf same
Email Address:	lmma.Bidder@fcc.gov	Con	v Address Plicant
Contact Address (PO Box Click here if address is COPY APPLICANT ADDRESS	located outside the US.		y Address If same as Applicant
Address Line 1:			
Address Line 2:			
City:			
State:	~		
Zip Code:			
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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is the contact information used for?

Our official contact would rather communicate via phone or fax. Do I need to enter their email address?

Why are P.O. boxes not permitted?



FCC > Wireless > Auctions > Auction Application

.ogged :	In: FRN	0010845105	( <u>Log Out</u> )
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#### Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

Summary







#### **Applicant Information**

Cont	act 1	ntor	matic	۱n

Identify an official contact to receive all auction correspondence.

Imma

First

Bidder

Ext.

Last

Suffix

Area

Telephone Number:

202 418 - 0000

Area

Fax Number:

Name:

202 418 - 1111

Email Address:

lmma.Bidder@fcc.gov

#### Contact Address (PO Boxes are not permitted)

▶ Click here if address is located outside the US.

#### COPY APPLICANT ADDRESS

Address Line 1:

123 Auction Ln

Address Line 2:

City:

Washington

State:

District of Columbia

Zip Code:

20554





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Applicant: Bidder One Corporation

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#### **Applicant Information**

#### **Authorized Bidders**

Identify at least one but no more than three authorized bidders. Only individuals listed here will be authorized to bid on behalf of the applicant. The authorized bidders may be changed during the auction.

	First	MI	Last	Suffix
1.	Imma		Bidder	
2.	Shesa		Bidder	
3.	Hesa		Bidder	

#### Telephonic or Electronic Bidding Options

Qualified bidders are permitted to bid electronically or telephonically. Select the option you anticipate using as your primary means of placing bids in the auction.

Electronic

Telephonic

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Status: Not Submitted

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#### **Engineering Proposals**

View/Edit Proposals

Approved by OMB

3060-0016 (Notice to Applicants) 3060-0932 (Notice to Applicants)

You currently do not have any proposals

CREATE NEW PROPOSAL

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#### **Common Questions**

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Applicant: Bidder One Corporation

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Status: Not Submitted

Summary









#### **Engineering Proposals**

Add Proposal

#### Proposal Identifier

Each Engineering Proposal must have a unique description.

Proposal Description:

Proposal 1

#### Service Type

- O Class A Television
- Low Power TV Station
- TV Translator

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#### **Common Questions**

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#### **Engineering Proposals**

Add Proposal: Proposal 1

#### **Application Purpose**

Digital Companion Channel

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#### **Common Questions**

When is my data saved during the data entry process?



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#### Auction 185

LPTV/Class A Television

#### **Engineering Proposals**

Add Proposal: Proposal 1

#### **Existing Facility**

Specify the Facility ID and Call Sign.

Facility ID:

Call Sign:

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Applicant: Bidder One Corporation

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

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#### Engineering Proposals

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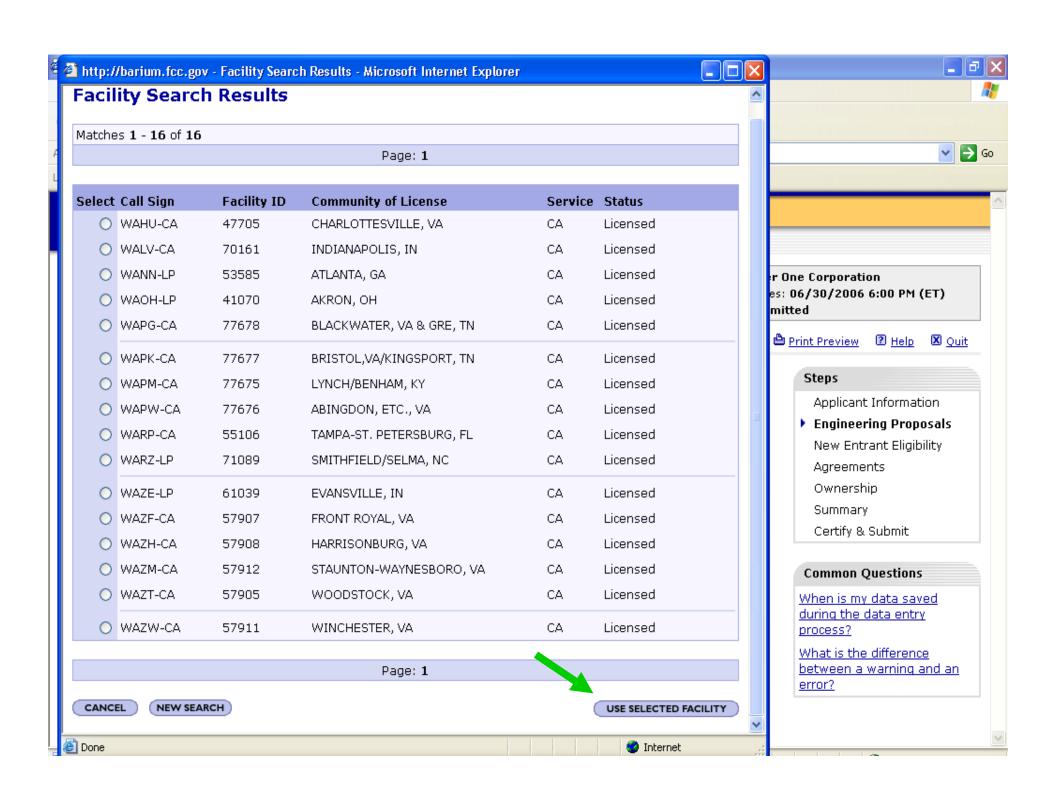
Ownership

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#### **Common Questions**

When is my data saved during the data entry process?



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**Auction 185** 

LPTV/Class A Television

Applicant: Bidder One Corporation

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Status: Not Submitted

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#### **Engineering Proposals**

Add Proposal: Proposal 1

#### **Existing Facility**

Specify the Facility ID and Call Sign.

Facility ID:

57911

(Search Facility)

Call Sign:

WAZW-CA

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#### **Common Questions**

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Applicant: Bidder One Corporation

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Lnai	maar		Drai	200	
СІЩІ	Heer		PIU	DUSAL	
9.		9		posal	_

Add Proposal: Proposal 1

General Information: Call Sign WAZW-CA						
Proposed Community of License						
City:	WINCHESTER					
State:	Virginia					

Antenna Locati	ion Coord	linatoc

Channel:

Latititude:	0	٠	"	N (+)	<b>~</b>
Longitude:	0	٠	"	W (+)	٧

#### **Technical Specifications**

Antenna Location Site Elevation Above Mean Sea Level:		meters
Overall Tower Height Above Ground Level:		meters
Height of Radiation Center Above Ground Level:		meters
Maximum Effective Radiated Power (ERP):		kW
Transmitter Output Power:		kW
Out-of-Channel Emission Mask:	O Simple C	) Stringent

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?



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#### **Engineering Proposals**

Add Proposal: Proposal 1

Antenna Type		
0	🐔 http://barium.fcc.gov - Auction Application - Antenna	
O Nondirectional O Directional "C	Antenna Search	^
Manufacturer: (Search Sta	Find Antenna	
Model:	The wildcard character (*) may be used for Antenna Make (Manufacturer) and Antenna Model searches.	
	Antenna Make:	
Electrical Beam Tilt: O Yes O No	Antenna Model:	
Beam Tilt Degrees:	CANCEL SEARCH	~
Rotation: O Yes O No	<b>②</b> Internet	.::
Rotation Degrees: •		
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#### **Common Questions**

When is my data saved during the data entry process?



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#### **Auction 185**

Applicant: Bidder One Corporation

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

LPTV/Class A Television

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#### **Engineering Proposals**

Edit Proposal: Proposal 1

Directional Antenna - Relative Field Values

Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value
0		60		120		180		240		300	
10		70		130		190		250		310	
20		80		140		200		260		320	
30		90		150		210		270		330	
40		100		160		220		280		340	
50		110		170		230		290		350	
Additi Azim											

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

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#### Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

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Status: Not Submitted

Summary







#### **Engineering Proposals**

View/Edit Proposals

You currently have 1 proposal(s)

Proposal: Proposal 1

Application Purpose: Digital Companion Channel

Service Type: Class A Television

#### Approved by OMB

3060-0016 (Notice to Applicants) 3060-0932 (Notice to Applicants)



Delete this proposal



#### Steps

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#### **Common Questions**

When is my data saved during the data entry process?



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Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

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#### New Entrant Eligibility

#### New Entrant Eligibility

This is the sole opportunity to apply for a New Entrant bidding credit, Only one bidding credit level may be selected. There is no opportunity to apply or modify this information after the Initial Filing Window.

- Not seeking the New Entrant bidding credit
- Seeking New Entrant bidding credit 35% To obtain a 35 percent New Entrant bidding credit, the applicant, or any individual or entity with an attributable interest in the applicant, may not have an attributable interest in any other media of mass communications.
- O Seeking New Entrant bidding credit 25% To obtain a 25 percent New Entrant bidding credit, the applicant, or any individual or entity with an attributable interest in the applicant, may not have an attributable interest in more than three mass media facilities.

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#### Steps

Applicant Information **Engineering Proposals** 

New Entrant Eligibility

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How does an applicant qualify for a 35% new entrant bidding credit?

How does an applicant qualify for a 25% new entrant bidding credit?

How are attributable interests defined?

What is considered a medium of mass communications?

Is a low power television (LPTV) station, a television translator station, or a FM translator station considered a medium of mass communications?

Can my New Entrant Bidding Credit eligibility increase or decrease before the auction?



### New Entrant Bidding Credit

- Unique to broadcast auctions
- Will be offered in Auction No. 85

# History

- Adopted August 6, 1998 in Broadcast First Report and Order (FCC 98-194) 13 FCC Rcd 15920 (1998)
  - Fulfills 309(j) obligation
  - promotes ownership diversification
- Refined on reconsideration in April 15, 1999 Memorandum Opinion and Order (FCC 99-74) 14 FCC Rcd 8724 (1999)
- Applied debt/equity attribution provisions in second Memorandum Opinion and Order August 4, 1999 (FCC 99-201) 14 FCC Rcd 12541 (1999)
- Governed by the broadcast attribution rules



### Mechanics

- Bidding Credit: a percentage discount applied to high bid amount if bidder meets designated entity criteria established in broadcast auction rules
- Two tiers: 25% and 35%
- Apply on Form 175 New Entrant Eligibility page
- No opportunity to apply after initial filing window deadline

# Rules

- 47 C.F.R. Section 73.5007 Designated Entity Provisions
- 47 C.F.R. Section 73.5008 Definitions
- Applies general broadcast attribution provisions of rule 47 C.F.R. Section 73.3555, note 2

# Eligibility

# Whose other media interests are counted in establishing eligibility?

- We consider other media interests held by winning bidder, and by any entity or individual with attributable interest in winning bidder
- 35% no attributable interest in any other media of mass communication
- 25% attributable interest in no more than 3 existing mass media facilities
  - Existing interests may not be in "same area" as a proposed facility

### Eligibility



"same area" – existing facility in "same area" as proposed if relevant defined service area of existing facility partially overlaps, or is partially overlapped by, proposed facility's relevant contour

- relevant contours defined in 73.5007

#### What media interests are counted?

 73.5008 defines a "medium of mass communications": daily newspaper; cable television system; license or construction permit for television, AM or FM broadcast station; direct broadcast satellite transponder; or multipoint distribution service station

# Eligibility

#### Which interests are counted?

- Attributable interest determined in accordance with 47 C.F.R. Section 73.3555 and note 2
- Interests held by winning bidder in LPTV, TV translator, or FM translator facilities not counted as mass media interests in determining eligibility
- Full service noncommercial educational stations, on both reserved and nonreserved channels, are included as mass media interests. *Minnesota Christian Broadcasters, Inc.*, 18 FCC Rcd 614 (2003)

## Unjust enrichment

- If permittee used bidding credit and seeks to assign or transfer control to entity not meeting eligibility criteria
- Must reimburse Government for bidding credit amount plus interest
- Condition of Commission approval of assignment or transfer
- 5 year reimbursement period
  - within first 2 years: 100%
  - year 3: 75%
  - year 4: 50%
  - year 5: 25%. No reimbursement thereafter



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0010845105 (Log Out)

Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

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#### New Entrant Eligibility

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This is the sole opportunity to apply for a New Entrant bidding credit, Only one bidding credit level may be selected. There is no opportunity to apply or modify this information after the Initial Filing Window.

- Not seeking the New Entrant bidding credit
- Seeking New Entrant bidding credit 35% To obtain a 35 percent New Entrant bidding credit, the applicant, or any individual or entity with an attributable interest in the applicant, may not have an attributable interest in any other media of mass communications.
- Seeking New Entrant bidding credit 25% To obtain a 25 percent New Entrant bidding credit, the applicant, or any individual or entity with an attributable interest in the applicant, may not have an attributable interest in more than three mass media facilities.

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How does an applicant qualify for a 35% new entrant bidding credit?

How does an applicant qualify for a 25% new entrant bidding credit?

How are attributable interests defined?

What is considered a medium of mass communications?

Is a low power television (LPTV) station, a television translator station, or a FM translator station considered a medium of mass communications?

Can my New Entrant Bidding Credit eligibility increase or decrease before the auction?



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Auction 185

LPTV/Class A Television











#### New Entrant Eligibility

View/Edit All Facilities

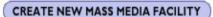
#### New Entrant Eligibility

Edit - 📝

You have selected a 25 percent New Entrant Bidding Credit, Applicants seeking a 25 percent New Entrant Bidding Credit must list the existing mass media facilities in which the attributable interest is held. Modify bidding credit selection.

Existing Mass Media Facility information must be provided by clicking the Create New Mass Media Facility button. You will need to repeat this process for each existing Mass Media facility.

You currently have not listed any mass media facilities.







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#### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How do I list my existing Mass Media Facility information?

#### LPTV/Class A Television

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Status: Not Submitted



Summary





#### New Entrant Eligibility

#### Add Mass Media Facility 1

To obtain a 25 percent New Entrant bidding credit, the applicant, or any individual or entity with an attributable interest in the applicant, may not have an attributable interest in more than three mass media facilities.

The new entrant bidding credit is not available to a winning bidder if it, or any individual or entity with an attributable interest in the winning bidder, have an attributable interest in any existing media of mass communications in the "same area" as the proposed broadcast facility.

#### **Identify Mass Media Facility**

Identify and/or describe (1) the existing mass media facility in which the attributable interest is held (2) the individual or entity with the attributable interest (3) the attributable interest in the existing mass media facility and (4) whether any of the proposed broadcast facilities are in the "same area" as existing mass media facilities.

Identify up to three Mass Media Facilities:

#### Mass Media Facility 1

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Existing mass media facility in which attributable interest held:

owner

		Facility ID	Call Sign	Name of Co	mmunications Medium
		123456	WASH	or	
	City:	Washington			
	State:	District of Co	olumbia	~	
2.	Individual or enti	ty with attributabl	e interest:		
	Entity:				
	Name:	First Imma	MI	Last Bidder	Suffix
3.	Describe attribut	able interest in thi	s existing ma	ss media facility:	

- 4. Indicate whether any of the proposed broadcast facilities are in the "same area" as this existing mass media facility.
  - Proposed facilities in "same area" as this existing mass media facility.
  - Proposed facilities not in "same area" as this existing mass media facility.



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#### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

When are existing media of mass communications considered in the "same area" as a proposed broadcast facility?

Where are the relevant defined service areas of existing mass media facilities defined?

Where are the relevant contours of proposed broadcast facilities defined?



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Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

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Status: Not Submitted

Summary









#### New Entrant Eligibility

Add Proposed "Same Area" Facilities

#### Existing Mass Media Facility 1

Add Proposed Facility in "Same Area" as Existing Mass Media Facility 1

Proposal Name

Indicate the broadcast facilities propos allotment or proposal name) that are i ineligible for the new entrant bidding of step.

If additional proposed facilities click here

.g., market designation number of proposed FM s existing Mass Media facility 1 for which applicant is roposals must be entered before completing this

Proposed Broadcast Facility:

ADD MORE PROPOSED FACILITIES IN THE "SAME AREA"



FINISH THIS MASS MEDIA FACILITY

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#### **Common Questions**

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LPTV/Class A Television

Applicant: Bidder One Corporation

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#### New Entrant Eligibility

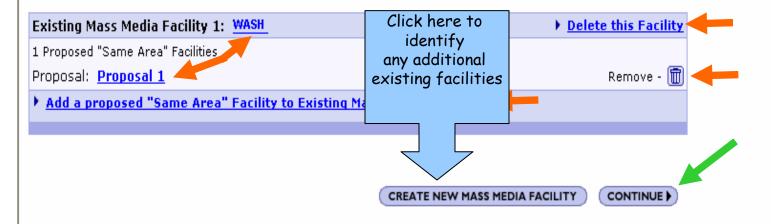
View/Edit All Facilities

#### New Entrant Eligibility

You have selected a 25 percent New Entrant Bidding Credit, Applicants seeking a 25 percent New Entrant Bidding Credit must list the existing mass media facilities in which the attributable interest is held. Modify bidding credit selection.

Existing Mass Media Facility information must be provided by clicking the Create New Mass Media Facility button. You will need to repeat this process for each existing Mass Media facility.

You currently have listed 1 existing Mass Media Facility



#### Steps

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How do I list my existing Mass Media Facility information?



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Status: Not Submitted

Auction 185

LPTV/Class A Television











#### Agreements

#### Agreements with Other Parties and Joint Bidding Arrangements

Has the applicant entered into partnerships, joint ventures, consortia or other agreements, arrangements or understandings of any kind relating to the licenses being auctioned, including any such agreements relating to the post-auction market structure?

O Yes O No



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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is the specific rule governing agreements, arrangements, and the like?



## Agreements with Other Parties and Joint Bidding Arrangements

- Anti-Collusion Rule: Unless properly disclosed, communications concerning bids, bidding strategies, or settlement agreements (including post-auction market structures) are prohibited among competing applicants (Section 1.2105(c)).
- To be in compliance, applicants must certify under penalty of perjury that they have not entered and will not enter into any explicit or implicit agreements, arrangements or understandings of any kind with any parties other than those they have identified regarding the amount of their bids, bidding strategies or particular permits on which they will or will not bid.



# Agreements with Other Parties and Joint Bidding Arrangements Continued

- Prohibition period is between the short-form deadline June 30, 2006 at 6:00 p.m. and the down payment deadline which will be specified in a future public notice. (Section 1.2105(a)(2)(iv)).
- The rule prohibits an auction applicant from discussing a competing applicant's bids or bidding strategies even if the first applicant does not discuss its own bids or bidding strategies.
- The rule requires auction applicants that make or receive a prohibited communication of bids or bidding strategies to report the communication immediately to the Commission in writing.



## Agreements with Other Parties and Joint Bidding Arrangements Continued

- Applicants must identify all parties with whom they have entered into agreements of any kind relating to the permits being auctioned, including post-auction market structure. (Section 1.2105(a)(2)(viii)). Any applicant that submits an auction application to participate in Auction No. 85 regardless of whether an upfront payment is submitted or a bid is made, remains subject to the Commission's anticollusion rule until the post-auction down payment deadline.
- For the anti-collusion rule, "applicant" includes controlling interests, ownership interests, and officers and directors. (Section 1.2110)



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Auction 185

LPTV/Class A Television

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#### Agreements

#### Agreements with Other Parties and Joint Bidding Arrangements

Has the applicant entered into partnerships, joint ventures, consortia or other agreements, arrangements or understandings of any kind relating to the licenses being auctioned, including any such agreements relating to the post-auction market structure?

Yes No.

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#### Steps

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is the specific rule governing agreements, arrangements, and the like?



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#### Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

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Status: Not Submitted

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#### Agreements

#### **Create New Agreement**

Identify all parties with whom Applicant has entered into partnerships, joint ventures, consortia or other agreements, arrangements or understandings of any kind relating to the licenses being auctioned, including any such agreements relating to the post-auction market structure.

Provide an identifiying r	name for your aç	reement.
Agreement Identifier:	Agreement 1	🎒 http://barium.fcc.gov - Auction Application - FRN Sear 🔳 🗖 🖸
Add Parties Add up to three parties	below. You may	FRN - Search Public Information
Party to Agreement  • Entity Name:	Party 1 Compan	Find FRN
FRN:	000123456	The wildcard character (*) may be used only for
Individual Name: FRN:	First	Business Name and Last Name searches only.  CANCEL SEARCH
Party to Agreement  • Entity Name:	Party 2 Compan	
FRN:  Individual Name:  FRN:	First	© Internet (Search FRN)
Party to Agreement	First	(Search FRN)  MI Last Suffix  (Search FRN)
<b>◀</b> BACK		ADD MORE PARTIES (FINISH THIS AGREEMENT)

#### Steps

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

Do I have to provide an FCC Registration Number (FRN) for my agreement party?

What does the Search FRN link do?



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LPTV/Class A Television

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#### Agreements

#### Create New Agreement

Identify all parties with whom Applicant has entered into partnerships, joint ventures, consortia or other agreements, arrangements or understandings of any kind relating to the licenses being auctioned, including any such agreements relating to the post-auction market structure.

Provide an identifiving name for your agreement.

· -	anie ioi your agreement.		
Agreement Identifier:	Agreement 1		
Add Parties			
Add up to three parties	below. You may add more parti	es later.	
Party to Agreement			
Entity Name:	Party 1 Company		
FRN:	000123456 (Search FRN)		
Individual Name:	First MI Last	Suffix	
FRN:	(Search FRN)		RESET
Party to Agreement			
Entity Name:	Party 2 Company		
FRN:	(Search FRN)	<u> </u>	
O Individual Name:	First MI Last	System allows	
FRN:	(Search FRN)	for more than	RESET
Party to Agreement		3 parties	
Entity Name:		to be	
FRN:	(Search FRN)	entered	
Individual Name:	First MI Last	Suffix	I
FRN:	(Search FRN)		RESET
<b>◆</b> BACK		ADD MORE PARTIES	FINISH THIS AGREEMENT

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#### **Common Questions**

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What is the difference between a warning and an error?

Do I have to provide an FCC Registration Number (FRN) for my agreement party?

What does the Search FRN link do?



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**CREATE NEW AGREEMENT** 

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#### Agreements

View/Edit Agreements

#### Agreements with Other Parties and Joint Bidding Arrangements

Agreements? Yes

You currently have 1 agreement



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#### **Common Questions**

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LPTV/Class A Television

Applicant: Bidder One Corporation

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#### Ownership

Add Ownership Disclosure Information

#### Add Ownership Disclosure Information

Select from the following options.

ADD DISCLOSABLE INTEREST HOLDER

ADD FCC REGULATED BUSINESS

#### **Upload Ownership Disclosure Information**

UPLOAD OWNERSHIP INFORMATION

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#### Ownership

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#### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How do I enter an Officer and a member of the applicant's Board of Directors?

What is a Disclosable Interest Holder (DIH)?

What is an FCC Regulated Business (FRB)?

If the applicant is an individual, does the individual need to submit information using the "Disclosable Interest Holder" screen?

I want to upload the applicant's ownership disclosure information. What is the format of the upload file?



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LPTV/Class A Television

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#### Ownership

Add Disclosable Interest Holder

#### Disclosable Interest Holder Name and Type

Select either Entity OR Individual.

•	Entity Name:	DIH Company		
			0	ther Description
	Entity Type:	Corporation	~	
	FRN:	987654321	(Search FRN)	
0	Individual Name:	First	MI Last	Suffix
	FRN:		(One-web EDM)	

(Search FRN)

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is a Disclosable Interest Holder (DIH)?

Is the FRN required?



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#### Auction 185

LPTV/Class A Television

#### Ownership

Add Disclosable Interest Holder: DIH Company

#### Disclosable Interest Holder Address

▶ Click here if address is located outside the US.

Address: 321 Somewhere Ave

City: Washington

State: District of Columbia

Zip Code: 20554

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Link for Address
outside the U.S.

Applicant: Bidder One Corporation

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LPTV/Class A Television

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#### Ownership

Add Disclosable Interest Holder: DIH Company

#### Type of Interest in Applicant

Check all that apply.

- Direct Ownership Interest in Applicant
- Indirect Ownership Interest in Applicant
- Officer
- Director
- Key Management Personnel
- Management Contract
- Other (specify)





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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

How do I describe disclosable interest holders who have an indirect ownership in my company?





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LPTV/Class A Television

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#### Ownership

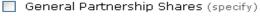
Edit Disclosable Interest Holder: DIH Company

#### Type of Ownership Interest in Applicant

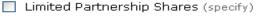
Check all that apply.

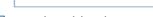
-	Common	Stock	(specific)

	~



	~





#### Membership Shares

- Option to Acquire Equity
- Proprietorship
- Preferred Stock (specify both voting and convertible types)

~
v

■ Warrant

Other (specify)

^
V

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LPTV/Class A Television

Applicant: Bidder One Corporation

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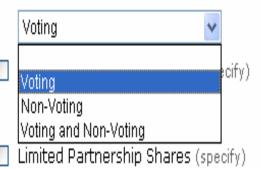
### Ownership

Edit Disclosable Interest Holder: DIH Company

#### Type of Ownership Interest in Applicant

Check all that apply.

Common Stock (specify)





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#### **Common Questions**

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#### Ownership

Edit Disclosable Interest Holder: DIH Company

#### Type of Ownership Interest in Applicant

Check all that apply.

~	Common	Stock	(specify)

Voting

General Partnership Shares (specify)

Limited Partnership Shares (specify)

Membership Shares

Option to Acquire Equity

Proprietorship

Preferred Stock (specify both voting and convertible types)



Warrant

Other (specify)



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#### Common Questions

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Link if jurisdiction outside U.S.

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#### Ownership

Edit Disclosable Interest Holder: DIH Company

#### Percent of Interest Held in Applicant

30 %

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#### **Jurisdiction of Formation**

Click here if DIH was formed in a jurisdiction outside the US.

Jurisdiction of Formation: District of Columbia



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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is a Jurisdiction of Formation?

What certification should I provide for foreign ownership?

Must an indirect ownership interest percentage beincluded in "Percent of Interest Held in Applicant"?

What should the "Percent of Interest Held in Applicant" reflect?



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#### Auction 185

LPTV/Class A Television

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Status: Not Submitted

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#### Ownership

View/Edit Ownership Disclosure Information

#### **Applicant Summary**

- Add Disclosable Interest Holder to Applicant
- Add FCC Regulated Business to Applicant
- Upload Applicant Ownership Disclosure Information

Disclosable Interest Holders of this Applicant

You currently have specified 1 Disclosable Interest Holder

Disclosable Interest Holder: DIH Company

You currently have specified 0 FCC Regulated Businesses held by this Disclosable Interest Holder

Add FCC Regulated Business to this Disclosable Interest Holder



Displays the DIH
just entered

#### Steps

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#### Common Questions

When is my data saved during the data entry process?

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LPTV/Class A Television

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#### Ownership

Add FCC Regulated Business to Applicant

#### **FCC Regulated Business**

Identify entities in which the Applicant has an interest. You may select entities already submitted or begin entering the information below.

FCC Regulated Business	Principal Business	FRN	Percent of Interest Held by Applicant
FRB Corporation	Radio Equipment Manufacturer	2345678900	20 %
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	
			%
		(Search FRN)	



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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What does the Search FRN link do?

What is an FCC Regulated Business (FRB)?

Is the FRN required?

What does "Percent of Interest Held" refer to?

Must an indirect ownership interest percentage be included in "Percent of Interest Held"?

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ADD MORE BUSINESSES

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#### Auction 185

LPTV/Class A Television

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Displays the FRB just entered

Status: Not Submitted

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Applicant: Bidder One Corporation

#### Ownership

View/Edit Ownership Disclosure Information

#### **Applicant Summary**

- ▶ Add Disclosable Interest Holder to Applicant
- Add FCC Regulated Business to Applicant
- ▶ <u>Upload Applicant Ownership Disclosure Information</u>
- View all FCC Regulated Businesses of the Applicant

#### Disclosable Interest Holders of this Applicant

You currently have specified 1 Disclosable Interest Holder(s)

Disclosable Interest Holder: DIH Company

You currently have specified 0 FCC Regulated Businesses held by this Disclosable Interest Holder

▶ Add FCC Regulated Business to this Disclosable Interest Holder

DELETE SELECTED

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FCC Regulated Businesses of this Applicant

You currently have specified 1 FCC Regulated Business

FCC Regulated Business: FRB Corporation

DELETE SELECTED

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#### Common Questions

When is my data saved during the data entry process?

What is the difference between a warning and an error?



FCC > Wireless > Auctions > Auction Application

Logged In: FRN 0010845105 (Log Out)

Auction 185

LPTV/Class A Television

Applicant: Bidder One Corporation

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Not Submitted

Summary

📤 Attachments 🕒 Print Preview 🔞 Help 🗵 Quit

#### Ownership

#### Detail for Disclosable Interest Holder: DIH Company

You have submitted the following information for Disclosable Interest Holder DIH Company, Please review and edit the information as necessary. Once you are confident that the information is correct, click the View/Edit button below to view a complete summary of your Ownership Disclosure information.

#### Disclosable Interest Holder Name and Type

Disclosable Interest Holder Name: DIH Company

Disclosable Interest Holder Type: **Entity** 

Entity Type: Corporation

FRN:

#### Disclosable Interest Holder Address

Address Line 1: 321 Somewhere Ave

Address Line 2:

City: Washington

State: DC Zip Code: 20554

#### Type of Interest in Applicant

Direct Ownership Interest in Applicant

Type of Ownership Interest in Applicant

Common Stock: Voting

#### Disclosable Interest Held in Applicant

Percent of Interest Held in Applicant: 30.00 %

Jurisdiction of Formation: **District of Columbia** 

#### Steps

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#### Common Questions

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#### Summary

#### Summary Overview

Choose a step listed below to review your provided information.

**Applicant Information Engineering Proposals New Entrant Eligibility** 

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VIEW/EDIT

VIEW/EDIT

VIEW/EDIT

VIEW/EDIT

VIEW/EDIT

**Common Questions** 

Certify & Submit

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What does the Check Errors button do?

Once you are confident that the application is certify button below.

Certify button below.

Certifying and submitting

NTINUE TO CERTIFY

NTINUE TO CERTIFY



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#### Certify & Submit

#### Former Default, Delinguency Statement

By indicating which statement applies and by submitting the application, applicants make the applicable statement under penalty of perjury. An applicant making the second statement must submit an upfront payment equal to 50 percent more than otherwise would be required.

- The applicant, its affiliates, its controlling interests, and the affiliates of its controlling interests (as those parties are defined by the Commission's rules) have never been in default on any Commission license and have never been delinquent on any non-tax debt owed to any Federal agency.
- One or more of the applicant, its affiliates, its controlling interests, or the affiliates of its controlling interests (as those parties are defined by the Commission's rules) have been in default on a Commission license or have been delinquent on a non-tax debt owed to a Federal agency.

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#### Common Ouestions

When is my data saved during the data entry process?

What is the difference between a warning and an error?

Why must one of the options be selected?

What if I don't know which of the two options is correct?

What if there is no former default or delinquency, but there is a current default or delinauency?

What is an Affiliate?



- Applicants must certify whether they are currently in default on any
  Commission license and currently delinquent on any non-tax debt owed to any
  Federal agency in order to be eligible to participate in the auction. For these
  purposes, "applicant" includes the applicant's controlling interests and
  affiliates (of both the applicant and controlling interests).
- Applicants are well advised to resolve any concerns regarding outstanding "red lights" for any relevant party prior to filing the Form 175. An applicant will be able to submit Form 175 to the Commission, notwithstanding a "red light" but the application may not be "accepted" at a later stage.
- Finally, applicants should remember that the "red light" database concerns only current delinquencies with the Commission. Auction rules are concerned with both current and former delinquencies on non-tax debt owed to any Federal agency. See 47 C.F.R. Section 1.2105(a)(2)(x) and (xi). Applicants should not rely on a "green light" as a guarantee that they have no concerns regarding delinquencies, current or former, on non-tax debt owed to any Federal agency.



## **Auction Legal Questions?**

Lynne Milne

202-418-0660

auction85@fcc.gov



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- One or more of the applicant, its affiliates, its controlling interests, or the affiliates of its controlling interests (as those parties are defined by the Commission's rules) have been in default on a Commission license or have been delinquent on a non-tax debt owed to a Federal agency.

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#### Certify & Submit

#### **Certify Auction Application**

By clicking the "Submit" button below, I certify the following:

(1) that the applicant is legally, technically, financially, and otherwise qualified pursuant to 308(b) of the Communications Act and the Commission's Rules and is in compliance with the foreign ownership provisions contained in Section 310 of the Communications Act.

(2) that the applicant is the real party in interest in this application and that there are no agreements or understandings other than those specified in this application, which provide that someone other than the applicant shall have an interest in the permit.

(3) that the applicant is aware that, if upon Commission inspection, this application is shown to be defective, the application may be dismissed without further consideration, and certain fees forfeited. Other penalties may also apply.

(4) except as explicitly provided in the Commission's Rules, that the applicant has not entered into and will not enter into any explicit or implicit agreements or understandings of any kind with parties not identified in this application regarding the amount to be bid, bidding strategies or the particular permit on which the applicant or other parties will or will not bid.

(5) that the applicant, or any party to this application, is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(6) that if a bidding credit eligibility is claimed, the applicant is eligible for any special provisions set forth in the Commission's Rules applicable to this auction and consents to audits, as set forth in the Commission's Rules, to verify such status.

(7) that the applicant is and will, during the pendency of its application(s), remain in compliance with any service specific qualifications applicable to the permits on which the applicant intends to bid including, but not limited to, financial qualifications.

(8) that the applicant is not in default on any payment for Commission permits and that it is not delinquent on any non-tax debt owed to any federal agency.

I declare, under penalties of perjury, that I am an authorized representative of the above named applicant for the permit and/or permits specified above, that I have read the instructions and the foregoing certification and all matters and things stated in this application, its schedules and attachments, including exhibits, are true and correct.

#### Signature

Person Certifying:	First Imma	MI	Last Bidder	Suffix
Signature:	Imma Bidder		Biddei	
Title:	President			

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SUBMIT

#### Steps

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Certify & Submit

#### **Common Ouestions**

What if I certify and any of the certifications are false?

When is my data saved during the data entry process?

What is the difference between a warning and an error?

Is it necessary to read all of these certifications?

Who is authorized to certify?

After I fill out my application electronically, is it automatically submitted to the FCC?

Can I change information after I submit Form 175?

After I submit my Form 175 once, are any later changes. automatically submitted to the FCC?



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#### **Certify & Submit**

#### Auction Application Submit Confirmation

Your Auction Application has been received on 5/23/2006 at 4:25 PM. Your file number is 0001685546. Please print your application for your records.

**AUCTION APPLICATION MANAGER** 

▶ Wire Transfer for Refund Purposes

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What is Form 159 and how do I fill it out?

How can I get a copy of the information I submitted?

Must I ao to the Upfront Calculator and Form 159 immediately?

Do I have to submit an upfront payment to cover all the construction permits I selected on my Form 175?

How will I know the status of my Form 175?

When can I see the Form 175 of other applicants for the auction?



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#### Auction 185

LPTV/Class A Television

#### Applicant: Bidder One Corporation

Initial Filing Closes: 06/30/2006 6:00 PM (ET)

Status: Submitted

|--|







#### **Attachments**

Add Attachmo
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Indirect Ownership 🔻 Type:

c:\Desktop\test attachment.doc Browse... File:

Description: Ownership

\* An Attachment may not be greater than 10MB.



#### RETURN TO APPLICATION

**Current Attachments** 

**Upload Date** Description Type

#### Steps

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#### **Common Questions**

When is my data saved during the data entry process?

What is the difference between a warning and an error?

What attachments are required?

What are the "Types" of Attachments?



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#### **Auction 185**

Applicant: Bidder One Corporation
Initial Filing Closes: 06/30/2006 6:00 PM (ET)
Status: Submitted

Your changes have been saved but NOT
SUBMITTED. In order for your changes to take
effect, you must Certify & Submit your application.

Attachments Print Preview Pleip Quit

#### LPTV/Class A Television

#### **Attachments**

✓ The attachment was uploaded successfully.

#### Add Attachment

Type:	<b>~</b>	
File:		Browse
Description:		

\* An Attachment may not be greater than 10MB.

#### RETURN TO APPLICATION

ADD ATTACHMENT

Summary

## Current Attachments Type Description Upload Date Indirect Ownership Ownership (Not Yet Converted) 5/23/2006, 4:31 PM Remove - Image: Remove - I

#### Steps

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#### **Common Questions**

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Status: Submitted

■ Summary

**Attachments** 

🖺 <u>Print Preview</u>

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#### **Print Preview**

#### **Print Application**

Print the data you have added to the Auction Application by selecting from the list below. Click "Continue" to open a printable page.

- Applicant Information
- Engineering Proposals
- New Entrant Eligibility
- Agreements
- Ownership
- Certify & Submit
- Attachment List

SELECT ALL

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#### **Print Attachments**

Click on a link below to open a PDF to print.

Indirect Ownership - Ownership

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Certify & Submit

File Number:

Status:

Date Received:

0001685546 Submitted

5/23/2006, 4:34 PM

#### **Applicant Information**

#### **Applicant Name**

Entity Name:

Jurisdiction of Formation:

**Bidder One Corporation** 

DC

#### **Applicant Legal Classification and Status**

Legal Classification:

Applicant Status:

Noncommercial Educational Election:

Corporation

No

#### **Applicant Address**

Address Line 1:

Address Line 2:

City: State:

Zip Code:

123 Auction Ln

Washington

DC

20554

#### Responsible Party

Name:

Title:

Telephone Number:

Email Address:

Imma Bidder President

(202) 418-0000

Imma.Bidder@fcc.gov

#### **Contact Information**

Name:

Telephone Number: Fax Number:

Email Address:

Address Line 1:

Address Line 2:

City:

State: Zip Code: Imma Bidder

(202) 418-0000 (202) 418-1111

Imma.Bidder@fcc.gov

123 Auction Ln

Washington

DC

20554

#### **Authorized Bidders**

Bidder 1:

Bidder 2:

Bidder 3:

Bidding Option:

Imma Bidder Shesa Bidder

Hesa Bidder

Electronic



FCC > Wireless > Auctions > Auction Application

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### **Auction Application Manager**

**Create or Review Auction Applications** 

Approved by OMB 3060-0600 (Notice to Applicants)

#### **Create New Application**

No new auctions

#### **Review or Modify Existing Applications**

Auction	Anglicant Name	Application Statu	ıs Last	Modified	Last Submitted	
185 Initial Filing Win	<b>Bidder One Corporation</b> dow Closes 6/30/2006, 6:00 PM	Submitted	5/23/	'2006, 4:31 PM	5/23/2006, 4:34 PM	
101 Initial Filing Wir	<b>Bidder One Corporation</b> dow Closed 12/5/2005, 1:47 PM	Submitted	12/5,	/2005, 10:57 AM	12/5/2005, 10:57 AM	\$ 2 7
\$ - Upfront Pa	yment Calculator and Form 159	🔁 - Refund Form 🏻 🗷	🛚 - Edit Application	📳 - Withdraw App	lication 🍳 - Search	

#### Documentation

Auction: 3-PCS Narrowband Region





## DCC APPLICATION PROCESSING

- AFTER THE WINDOW IS CLOSED, PROPOSALS WILL BE ASSIGNED FILE NUMBERS AND WILL BE TRANSFERRED OVER TO CDBS.
- ALL THE FILE NUMBERS WILL HAVE JUNE 30<sup>TH</sup> FILE NUMBER FOR EXAMPLE "20060630AAA"



- APPLICATIONS WILL HAVE CUT OFF DATE OF "6/30/2006"
- THEY WILL BE ASSIGNED A NEW FACILITY ID NUMBER, HOWEVER THEY WILL HAVE THE ANALOG STATIONS FACILITY ID NUMBER ASSOCIATED WITH THEM



- IMPORTANT TO CHECK CDBS RECORDS TO MAKE SURE YOUR PROPOSALS HAVE BEEN TRANSFERRED OVER CORRECTLY.
- WE WILL PERFORM INTEFERENCE ANALYSIS USING THE Longley-Rice METHODOLOGY.



- NO TECHNICAL AMENDMENTS WILL BE PERMITTED.
- APPLICATIONS WILL BE SORTED IN TWO GROUPS:

SINGLETONS: WILL RELEASE A PUBLIC NOTICE REQUESTING TO FILE LONG FORM APPLICATIONS.



THE LONG FORM APPLICATIONS WILL BE PROCESSED FOR GRANTS. IF GRANTABLE, THEY WILL APPEAR ON PROPOSED GRANT LIST PUBLIC NOTICE SUBJECT TO PETITION TO DENY.



### **MX CASES:**

will announce the settlement period to file minor amendments or settlements to resolve MX situations.

The amendments will be filed using the FCC INTEGRATED SPECTRUM AUCTION SYSTEM (ISAS)