

diligence before proceeding, as they would with any new business venture.

16. As is the case with many business investment opportunities, some unscrupulous entrepreneurs may attempt to use Auction No. 51 to deceive and defraud unsuspecting investors. Information about deceptive telemarketing investment schemes is available from the FTC at (202) 326-2222 and from the SEC at (202) 942-7040. Complaints about specific deceptive telemarketing investment schemes should be directed to the FTC, the SEC, or the National Fraud Information Center at (800) 876-7060. Consumers who have concerns about specific proposals regarding Auction No. 51 may also call the FCC Consumer Center at (888) CALL-FCC ((888) 225-5322).

v. National Environmental Policy Act ("NEPA") Requirements

17. Licensees must comply with the Commission's rules regarding the National Environmental Policy Act (NEPA). The construction of a wireless antenna facility is a federal action and the licensee must comply with the Commission's NEPA rules for each such facility.

*C. Auction Specifics*

i. Auction Date

18. The auction will begin on Wednesday, September 24, 2003. The initial schedule for bidding will be announced by public notice at least one week before the start of the auction. Unless otherwise announced, bidding on all licenses and packages will be conducted on each business day until bidding has stopped on all licenses and packages.

ii. Auction Title

19. Auction No. 51 "Regional Narrowband PCS."

iii. Bidding Methodology

20. The bidding methodology for Auction No. 51 will be simultaneous multiple round with package bidding (or "package bidding"). The Commission will conduct this auction over the Internet, and telephonic bidding will be available as well. As a contingency plan, bidders may also dial in to the FCC Wide Area Network. Qualified bidders are permitted to bid telephonically or electronically.

iv. Pre-Auction Dates and Deadlines

21. The following is a list of important dates related to Auction No. 51:  
Auction Seminar ..... July 31, 2003.

Short-Form (FCC Form 175) Filing Window Opens.	July 31, 2003; 12 p.m. ET.
Short-Form (FCC Form 175) Application Deadline.	August 8, 2003; 6 p.m. ET.
Upfront Payments (via wire transfer).	August 26, 2003; 6 p.m. ET.
Mock Auction .....	September 17 and 18, 2003.
Auction Begins .....	September 24, 2003.

v. Requirements for Participation

22. Those wishing to participate in the auction must:

- Submit a short-form application (FCC Form 175) electronically by 6 p.m. ET, August 8, 2003.
- Submit a sufficient upfront payment and an FCC Remittance Advice Form (FCC Form 159) by 6 p.m. ET, August 26, 2003.
- Comply with all provisions outlined in this public notice.

vi. General Contact Information

23. The following is a list of general contact information related to Auction No. 51:

General Auction Information

General Auction Questions; Seminar Registration: FCC Auctions Hotline, (888) 225-5322, Press Option #2, or direct (717) 338-2888, Hours of service: 8 a.m.-5:30 p.m. ET Monday through Friday

Technical Support

Electronic Filing; FCC Automated Auction System: FCC Auctions Technical Support Hotline (202) 414-1250 (Voice), (202) 414-1255 (TTY) Hours of service: 8 a.m.-6 p.m. ET, Monday through Friday

FCC Forms

(800) 418-3676 (outside Washington, DC), (202) 418-3676 (in the Washington Area), <http://www.fcc.gov/formpage.html>

FCC Internet Sites

<http://www.fcc.gov>, <http://wireless.fcc.gov/auctions>, <http://wireless.fcc.gov/uls>

**II. Short-Form (FCC Form 175) Application Requirements**

24. Guidelines for completion of the short-form (FCC Form 175) are set forth in Attachment C of the *Auction No. 51 Procedures Public Notice*.

*A. Ownership Disclosure Requirements (FCC Form 175 Exhibit A)*

25. The Commission indicated in the *Broadcast First Report and Order*, 63 FR 48615 (September 11, 1998), that, for purposes of determining eligibility to participate in a broadcast auction, the uniform part 1 ownership disclosure standards would apply. Specifically, in completing FCC Form 175, all applicants will be required to provide information required by sections 1.2105 and 1.2112 of the Commission's rules.

*B. Consortia and Joint Bidding Arrangements (FCC Form 175 Exhibit B)*

26. Applicants will be required to identify on their short-form applications any parties with whom they have entered into any consortium arrangements, joint ventures, partnerships or other agreements or understandings which relate in any way to the licenses being auctioned, including any agreements relating to post-auction market structure. Applicants will also be required to certify on their short-form applications that they have not entered into any explicit or implicit agreements, arrangements or understandings of any kind with any parties, other than those identified, regarding the amount of their bids, bidding strategies, or the particular licenses on which they will or will not bid.

27. While the anti-collusion rules do not prohibit non-auction related business negotiations among auction applicants, bidders are reminded that certain discussions or exchanges could touch upon impermissible subject matters because they may convey pricing information and bidding strategies.

*C. Eligibility*

i. Bidding Credit Eligibility (FCC Form 175 Exhibit C)

28. A bidding credit represents the amount by which a bidder's winning bids are discounted. The size of the bidding credit depends on the average of the aggregated annual gross revenues for each of the preceding three years of the bidder, its affiliates, its controlling interests, and the affiliates of its controlling interests.

29. In the *Narrowband Second Report and Order*, the Commission adopted two tiers of bidding credits to promote and facilitate the participation of small businesses in the competitive bidding for licenses in the narrowband PCS service. Therefore, bidding credits are available to small and very small businesses, or consortia thereof, as follows for Auction No. 51:

- A bidder with attributed average annual gross revenues of not more than \$40 million for the preceding three years ("small business") will receive a 15 percent discount on its winning bids;
- A bidder with attributed average annual gross revenues of not more than \$15 million for the preceding three years ("very small business") will receive a 25 percent discount on its winning bids.

30. Bidding credits are not cumulative; a qualifying applicant receives either the 15 percent or 25