



PUBLIC NOTICE

Federal Communications Commission
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TTY: 1-888-835-5322

DA 12-1736
October 31, 2012

MOBILITY FUND PHASE I AUCTION LONG-FORM APPLICATION DEADLINE EXTENDED

AU Docket No. 12-25

1. In light of the disruption caused by Hurricane Sandy, the Wireless Telecommunications and Wireline Competition Bureaus announce a new filing deadline for Auction 901 long-form applications for Mobility Fund Phase I support. The deadline was initially scheduled for 6:00 p.m. Eastern Time (ET) on November 1, 2012.¹ The new deadline will be 6:00 p.m. ET on Monday, November 5, 2012.

2. The Bureau reminds applicants that section 1.21002 of the Commission's rules prohibits an applicant in a Mobility Fund auction from cooperating or collaborating with any other applicant with respect to its own, or one another's, or any other competing applicant's bids, or bidding strategies, and from communication with any other applicant in any manner the substance of its own, or one another's, or any other competing applicant's bids or bidding strategies, **until after the post-auction deadline for winning bidders to submit applications for support**, unless such applicants are identified on the short-form application(s) as parties to an agreement(s) relating to participation in the competitive bidding, pursuant to section 1.21001(b)(4).² **The prohibition is therefore extended until 6:00 p.m. ET on November 5, 2012.** The prohibition applies to all applicants regardless of whether such applicants became qualified bidders or actually bid.³ For further information on the prohibition, applicants should refer to the *Auction 901 Procedures Public Notice*.⁴

¹ Mobility Fund Phase I Auction Closes, Winning Bidders Announced for Auction 901, *Public Notice*, DA 12-1566 (rel. Oct. 3, 2012).

² 47 C.F.R. §§ 1.21001(b)(4), 1.21002; *see also* Connect America Fund, WC Docket No. 10-90, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 11-161, 26 FCC Rcd 17663, 17807 ¶ 431 (2011), *pets. for review pending sub nom. In re: FCC 11-161*, No. 11-9900 (10th Cir. filed Dec. 8, 2011); Connect America Fund, WC Docket No. 10-90, *Order on Reconsideration*, 26 FCC Rcd 17633 (2011); Connect America Fund, WC Docket No. 10-90, *Second Order on Reconsideration*, 27 FCC Rcd 4648 (2012); Connect America Fund, WC Docket No. 10-90, *Third Order on Reconsideration*, 27 FCC Rcd 5622 (2012); Connect America Fund, WC Docket No. 10-90, *Fourth Order on Reconsideration*, 27 FCC Rcd 8814 (2012).

³ For example, the Commission imposed a forfeiture in the amount of \$100,000 for violation of section 1.2105(c), even though the applicant never made an upfront payment for the auction and was not listed as a qualified bidder. *See* Northeast Communications of Wisconsin, Inc., *Forfeiture Order*, DA 04-3027, 19 FCC Rcd 18635 (Enf. Bur. 2004). The Commission subsequently reduced the amount of the forfeiture to \$75,000 due to the parties' history of compliance with Commission rules. *See* Star Wireless, LLC and Northeast Communications of Wisconsin, Inc., *Order on Review*, FCC 07-80, 22 FCC Rcd 8943 (2007), *review denied*, *Star Wireless, LLC v. FCC*, 522 F.3d 469 (D.C. Cir. 2008) (section 1.2105(c) applies to auction applicant regardless of whether the applicant is qualified to bid). The United States District Court for the Eastern District of Wisconsin granted summary judgment in favor of

3. For further information concerning Auction 901, please contact:

General Auction Information

General Auction Questions
Auction Process and Procedures

FCC Auctions Hotline

(888) 225-5322, option two; or
(717) 338-2868

Auction 901 Legal Information

Auction Rules, Policies, Regulations, including
Reports of section 1.21002 Violations and
Application Modifications

Auctions and Spectrum Access Division

(202) 418-0660
Lynne Milne

General Universal Service Questions

Wireline Competition Bureau

(202) 418-7400
Alex Minard

**Universal Service Administrative Company
Mobility Fund Phase I Letter of Credit**

USAC High Cost

(202) 776-0200
hcinfo@usac.org

**Information on Applying for Service
Provider Identification Number (SPIN)
General SPIN Information**

Customer Service (877) 877-4925 or
customerservice@bcd.universalservice.org
<http://www.usac.org/sp/about/498/default.aspx>

Technical Support

Electronic Filing
FCC Auction System (Hardware/Software
Issues)

FCC Auctions Technical Support Hotline

(877) 480-3201, option nine; or (202) 414-1250
(202) 414-1255 (TTY)
Hours of service: 8:00 a.m. – 6:00 p.m. ET,
Monday through Friday

4. To request materials in accessible formats (Braille, large print, electronic files, audio format) for people with disabilities, send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-0432 (TTY).

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the United States pursuant to an effort by the Department of Justice to enforce the forfeiture. *United States v. Northeast Communications of Wis., Inc.*, 608 F.Supp. 2d 1049 (D. Wis. 2008). See also Letter to Robert Pettit, from Margaret W. Wiener, Chief, Auctions and Industry Analysis Div., DA 00-2905, 16 FCC Rcd 10080 (2000) (declining to exempt an applicant's controlling interest from coverage by section 1.2105(c), even though the applicant never made an upfront payment for the auction and was not listed as a qualified bidder).

⁴ Mobility Fund Phase I Auction Scheduled for September 27, 2012, Notice and Filing Requirements and Other Procedures for Auction 901, AU Docket No. 12-25, *Public Notice*, DA 12-641, 27 FCC Rcd 4725, 4741-47 ¶¶ 46-68 (2012).