

Miscellaneous

The Commission has received a formal complaint alleging that the practice of using "trailer" bids to signal interest in particular markets (e.g. by using the BTA number of a market as the final three digits of the bid amount) is an improper disclosure of bidding strategy, and as such violates the anti-collusion rule, 47 CFR 1.2105(c). The Commission has reached no determination on the merits of this argument. See *In re Application of Mercury PCS II, LLC to Bid in the Broadband PCS Auction for Authorization to Serve BTAs 013 (Amarillo, Texas) and 264 (Lubbock, Texas) on Frequency Blocks D, E and F (Auction No. 11), Emergency Motion for Disqualification* (filed November 26, 1996) and related pleadings.

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FEDERAL COMMUNICATIONS COMMISSION

[DA 97-1933]

Comment Sought on Balanced Budget Provisions Calling for Reserve Prices or Minimum Opening Bids in FCC Auctions

Released September 5, 1997.

Report No. AUC-16-E (Auction No. 16)

When FCC licenses are subject to auction (*i.e.*, because they are mutually exclusive) the recently enacted Balanced Budget Act of 1997 calls upon the Commission to prescribe methods by which a reasonable reserve price is required or minimum opening bid established, unless it determines that such an assessment is not in the public interest. The Wireless Telecommunications Bureau recently announced the auction of 525 licenses in the upper 10 MHz of the 800 MHz Specialized Mobile Service (SMR), which is to begin October 28, 1997. In anticipation of that auction, and in light of the recently adopted legislation, it is proposed that a reserve price or minimum opening bid be established.

Specifically, it is proposed that in no event should any of the licenses in the

800 MHz auction be sold for less than the value of the upfront payment amounts specified for the licenses in the Public Notice released August 6, 1997 for that auction. The upfront payments for the 800 MHz SMR auction are based on a \$0.02 per MHz-POP formula, as was used in the 900 MHz SMR auction. The \$0.02 MHz-POP has been discounted for each Economic Area by 75 percent, with a floor of \$2,500, to account for the degree of incumbency for this service. Under this formulation, the minimum amount is \$2,500 and the maximum amount is \$717,571. Comment is sought on this proposal.

Parties should also comment on whether the upfront payment should be considered a reserve price or a minimum opening bid for this auction. Normally, a reserve price is an absolute minimum price below which an item will not be sold in a given auction. Reserve prices can be either published or unpublished. A minimum opening bid, on the other hand, is the minimum bid price set at the beginning of the auction below which no bids are accepted. In a minimum opening bid scenario, the auctioneer often has the discretion to lower it later in the auction.

Furthermore, commenters should also address whether the amount of the reserve price or minimum opening bid should be capped to ensure that bidding is not deterred on high valuation markets, in particular. For example, a cap of \$250,000 could be applied.

Finally, if commenters believe that a reserve price or minimum opening bid equal to the upfront payment will result in substantial unsold licenses, or is not a reasonable amount, they should explain why this is so, and comment on the desirability of a reserve price or minimum opening bid greater or less than the upfront payment.

Comments are due on or before September 12, 1997. To file formally, parties must file an original and four copies. Parties may send comments to the Chief, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, Federal Communications Commission, Room 5202, 2025 M Street, NW., Washington, DC 20554. Comments will be available for public inspection during regular business hours in the FCC Reference Center of the Federal Communications Commission, Room 239, 1919 M Street, NW., Washington, DC 20554.

For further information concerning this proceeding, contact Alice Elder at the Auctions and Industry Analysis Division, Wireless Telecommunications Bureau at (202) 418-0660.

Federal Communications Commission.

Shirley S. Suggs,*Chief, Publications Branch.*

[FR Doc. 97-24931 Filed 9-18-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**Public Information Collections Approved by Office of Management and Budget**

September 11, 1997.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid control number. For further information contact Shoko B. Hair, Federal Communications Commission, (202) 418-1379.

Federal Communications Commission*OMB Control No.:* 3060-0789.*Expiration Date:* 03/31/98.*Title:* Modified Alternative Plan, CC Docket No. 90-571, Order (1997 Suspension Order).*Form No.:* N/A.*Respondents:* Business or other for profit.*Estimated Annual Burden:* 36 respondents; 13 hours per response (avg.); 468 total annual burden hours for all collections.*Estimated Annual Reporting and Recordkeeping Cost Burden:* \$0.*Frequency of Response:* On occasion; one-time requirement.

Description: Title IV of the Americans with Disabilities Act of 1990 ("ADA") requires each common carrier providing voice transmission services to provide Telecommunications Relay Services ("TRS") throughout the area it serves to individuals with hearing and speech disabilities by 1993. The TRS enables customers with hearing or speech disabilities to use the telephone network in ways that are "functionally equivalent" to those used by customers using traditional telephone service. Under the Commission's rules, the TRS must be able to handle all calls normally provided by common carriers, unless those carriers demonstrate the infeasibility of doing so. 47 CFR 64.604(a)(3). The Commission has interpreted "all calls" to include coin sent-paid calls, which are calls made by depositing coins in a standard coin-