

614] (Direct Final)

* *CLOSED SESSION*

D. Report

—OGC Litigation Report

Note: * Session Closed—Exempt pursuant to 5 U.S.C. 552b(c) (10).

Dated: December 5, 1997.

Floyd Fithian,

Secretary, Farm Credit Administration Board.

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For further information, please contact Louis Sigalos of the Wireless Telecommunications Bureau, Auctions and Industry Analysis Division, at (202) 418-0660.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

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link licenses. These provisions allow only hub-to-subscriber transmissions by LMDS licensees in this band.

Key Dates

Short form (FCC Form 175) Application Deadline: January 20, 1998.

Upfront Payment Deadline: February 2, 1998.

Electronic Bid Submission Software Order Deadline: February 2, 1998.

Mock Auction Date: February 13, 1998.

Auction Commencement Date: February 18, 1998.

Further details on this spectrum may be found in the *LMDS First Report and Order*, CC Docket No. 92-297, 11 FCC Rcd 19005, 61 FR 44177, August 28, 1996; *LMDS Second Report and Order*, CC Docket No. 92-297, FCC 97-82, 62 FR 16514, April 7, 1997 (recon. pending); *LMDS Order on Reconsideration*, CC Docket No. 92-297, FCC 97-166, 62 FR 28373, May 23, 1997; *LMDS Second Order on Reconsideration*, CC Docket No. 92-297, FCC 97-323, 62 FR 48787, September 17, 1997; *Public Notice*, "Auction of Local Multipoint Distribution Service," DA 97-2081, 62 FR 53629, October 15, 1997; *Public Notice*, "Comment Sought on Reserve Prices or Minimum Opening Bids for LMDS Auction," DA 97-2224, 62 FR 55642, October 27, 1997; *Public Notice*, "LMDS Auction Postponed Until February 18, 1998," DA 97-2352 (released November 10, 1997); *Public Notice*, "Opportunity for Reply Comment on Reserve Prices or Minimum Opening Bids for LMDS Auction Extended," DA 97-2420 (released November 18, 1997); and the LMDS auction Bidder Information Package.

220 MHz Service

This auction will consist of 908 licenses in the Phase II 220 MHz service, with three nationwide, 30 Regional Economic Area Groupings ("220 MHz REAGs") and 875 Economic Area ("EA") licenses. The licenses encompass the following channels:

	Channels
Nationwide Block:	
Channels 51-60	10
Channels 81-90	10
Channels 141-150	10
EA Block:	
A: Channel Groups 2, 13	10
B: Channel Groups 3, 16	10
C: Channel Groups 5, 18	10
D: Channel Groups 8, 19	10
E: Channel Groups 171-180	10

The Channel Groups indicated in the allocation plan are the 5-channel, non-contiguous assignments identified as "Group Nos. 1, 2, 3" etc., in Section

FEDERAL COMMUNICATIONS COMMISSION

[DA-97-2352]

LMDS Auction No. 17 Postponed

Released: November 10, 1997.

Report No. AUC-17-C (Auction No. 17)

In an effort to provide a greater opportunity for prospective applicants to participate in the upcoming Local Multipoint Distribution Service ("LMDS") auction, the Commission is postponing the LMDS auction, originally scheduled to begin on December 10, 1997, until February 18, 1998. This postponement will further opportunities for businesses to access additional sources of capital to further the advent of new competition in the cable television and local telephony marketplaces.

In addition, applicants will be able to take advantage of the World Trade Organization agreement to pursue additional sources of financing and investment. The Commission has proposed amendments to its rules in response to the WTO agreement. Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, *Order and Notice of Proposed Rule Making*, 12 FCC Rcd 7847, 62 FR 32966, June 17, 1997. Once the Commission has adopted final rules in this proceeding, the Wireless Telecommunications Bureau will release a public notice explaining how these amendments will affect LMDS applicants.

Except for the filing dates and auction schedule, information provided in previous public notices and the LMDS Bidder Information Package remains unchanged. The new schedule is as follows:

FCC Form 175 filing: 5:30 p.m., ET Tuesday, January 20, 1998

Upfront Payments: 6 p.m. ET, Monday, February 2, 1998

Mock Auction: 9 a.m. ET-3 p.m. ET, Friday, February 13, 1998

Auction Begins: 9 a.m. ET Wednesday, February 18, 1998

FEDERAL COMMUNICATIONS COMMISSION

[DA-97-2497]

Spectrum Auction Schedule for 1998;

Released: November 25, 1997.

Report No. AUC-17-C (Auction No. 17)

This Public Notice apprises potential applicants of important dates for several auctions that will be conducted in 1998. The dates listed below may be subject to change. A brief summary of the wireless services to be auctioned is provided below. More detailed information concerning each of these auctions has been provided or will be provided at a later date. The wireless services to be auctioned are:

Local Multipoint Distribution Service ("LMDS")

This auction will consist of 986 LMDS licenses in the 28 GHz and 31 GHz bands. Two licenses will be offered in each of 493 Basic Trading Areas ("BTAs") and BTA-like areas in the United States. One license, in frequency block A, will authorize service on 1,150 megahertz of spectrum in both the 28 GHz and 31 GHz bands. Block A of the New York BTA is encumbered by a pre-existing licensee in the New York Metropolitan Statistical Area. The incumbent licensee, CellularVision of New York, is entitled to interference protection. The second license, in frequency block B, will authorize service on 150 megahertz of spectrum in the 31 GHz band. Each frequency block encompasses the following spectrum:

Block A (1,150 megahertz): 28 GHz band: 27,500-28,350 MHz and 29,100-29,250 MHz and 31 GHz band: 31,075-31,225 MHz.
Block B (150 megahertz): 31 GHz band: 31,000-31,075 and 31,225-31,300 MHz.

Operations to take place in the 29,100-29,250 MHz band are governed by 47 CFR 101.103(g) and (h), 101.113(c), 101.133(d), and 101.147(t), which are new provisions designed to facilitate the sharing of this spectrum by LMDS, GSO/FSS gateways, and MSS feeder