



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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WASHINGTON, D.C. 20554

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FCC ANNOUNCES IT IS PREPARED TO GRANT BROADCAST CONSTRUCTION PERMITS AFTER FINAL PAYMENTS ARE MADE

Balance of Winning Bid Due by March 31, 2006

Auction No. 81

By this Public Notice, the Media Bureau, under delegated authority, announces that it is prepared to grant the construction permit applications listed in **Attachment A** of this Public Notice following the full and timely payment of the remaining balance of the applicants' winning bids. Therefore, in accordance with the procedures adopted in the *Broadcast First Report and Order*,¹ a lump sum final payment from the Auction No. 81 winning bidders listed in Attachment A must be received by the Commission within **ten business days** of the date of this Public Notice (*i.e.*, by March 31, 2006).²

Note that the Commission's Part 1 competitive bidding rules provide for an additional ten business day grace period for applicants who fail to meet the initial ten business day payment deadline.³ Section 1.2109(a) of the Commission's Rules provides that if a winning bidder fails to pay the balance of its winning bid in a lump sum by the applicable deadline specified by the Commission, it may make a late payment within ten business days after the payment deadline (*i.e.* by April 14, 2006), provided that it also pays a late fee equal to five percent of the amount due.⁴ If the winning bidders listed in Attachment A fail to pay the balance of their winning bids by the late payment deadline of April 14, 2006, they will be considered in default and subject to the

¹ *Implementation of 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Services, First Report and Order* in MM Docket No. 97-234, GC Docket No. 92-52 and GEN Docket No. 90-264, 13 FCC Rcd 15920 (1998) (“*Broadcast First Report and Order*”).

² See 47 C.F.R. § 73.5003(c); 1.2109(a).

³ See Amendment of Part 1 of the Commission's Rules -- Competitive Bidding Procedures, WT Docket No. 97-82, *Third Report and Order and Second Further Notice of Proposed Rule Making*, 13 FCC Rcd 374 (1997) (amending the Commission's Part 1 competitive bidding rules); see also 47 C.F.R. § 1.2109(a) (as amended).

⁴ See 47 C.F.R. § 1.2109(a).

applicable default payment and procedural provisions specified in the Commission rules.⁵ Such applicants will be assessed a default payment as proscribed by Commission rules. *See generally* 47 C.F.R. §§ 1.2104 (g)(2), 1.2109(a), 73.5004.

By public notice, the Media Bureau will announce the grant of the construction permits if the Commission has received the timely final payments of the winning bid amounts. Facility authorizations will be issued shortly thereafter. The previously filed long form applications of the unsuccessful competing bidders in Auction No. 81 will be dismissed following grant of the winning bidders' construction permits.

PAYMENT INSTRUCTIONS

All payments must be made in U.S. currency in the form of a wire transfer. *See* 47 C.F.R. § 1.2107(b). No personal checks, cashier's checks or other forms of payment will be accepted.

Wire transfer payments must be received by Mellon Bank by **6:00 p.m. Eastern Time, on March 31, 2006 (or 6:00 p.m. Eastern Time, April 14, 2006, along with the five percent late fee)**. Applicants must allow sufficient time for the wire transfer to be initiated and for the transmission to be completed prior to the deadline. To submit funds by wire, applicants will need the following information to properly effect the transmittal:

ABA ROUTING NUMBER: 043000261
RECEIVING BANK: Mellon Pittsburgh
500 Ross Street
Pittsburgh, PA 15262
BNF: FCC Account Number 911-6106
OBI Field: (Skip one space between each information item) "AUCTIONPAY"
APPLICANT'S FRN NO.: (same as FCC Form 159, Block 21)
PAYMENT TYPE CODE: (enter "A81D")
FCC CODE 1: (same as FCC Form 159, Block 28A: "81")
PAYOR NAME: (same as FCC Form 159, Block 2)
LOCKBOX NO.: 358850

Payments must be accompanied by a completed FCC Remittance Advice Form (FCC Form 159). **A partially completed FCC Form 159 will be sent to the applicants.** On the same business day that the applicant pays the balance due to Mellon Bank, the applicant must submit a completed FCC Form 159 via facsimile at (412) 209-6045, at least one hour prior to placing the order for the wire transfer. On the FCC Form 159, applicants must use the same FCC Registration Number (FRN) used on their Form 175.

⁵ *See e.g.* 47 C.F.R. §§ 1.2104(g), 1.2107(b), 1.2109, 73.5003(c); *see also Broadcast First Report and Order*, 13 FCC Rcd at 15960 ¶ 160; *Wireless Telecommunications Bureau Will Strictly Enforce Default Payment Rules, Public Notice*, 11 FCC Rcd 10853 (WTB 1996).

For questions regarding the calculation and submission of final payment, the FCC Form 159 and refunds, contact Gail Glasser, Office of the Managing Director, Financial Operations Center, Auctions Accounting Group, at (202) 418-0578.

For questions regarding legal matters and licensing issues, contact Shaun Maher, Media Bureau, Video Division at (202) 418-2324.

This Public Notice contains the following attachment:

Attachment A: Auction No. 81 Application Ready for Grant

ATTACHMENT A

GROUP	PREFIX	ARN	APPLICANT	CITY	ST	FAC ID
MX001	BNPTVL	20000802AAL	MARSHALL D. MARTIN	BEAUMONT	TX	125026
MX005	BNPTTL	20000830BJS	THREE ANGELS BROADCASTING NETWORK, INC.	HIBBING	MN	130204
MX007	BNPTTL	20000828AYV	CHARLES C. TOWNSEND, III	ABERDEEN	SD	128179
MX013	BNPTTL	20000802ADC	SHON HEERSINK	ROMEO	CO	125434
MX020	BNPTT	20000804ADE	NEXSTAR BROADCASTING, INC.	BILLINGS	MT	125462
MX025	BNPTTL	20000807AAU	MICHAEL MINTZ	MERIDAN	MS	125094
MX026	BNPTTL	20000828AXU	CHARLES C. TOWNSEND, III	BISMARCK	ND	128102
MX027	BNPTTL	20000807ABV	LAURIE MINTZ	SALISBURY	MD	125165
MX029	BNPTTL	20000818ABA	TIGER EYE LICENSING, LLC	COLUMBUS	GA	125686
MX033	BNPTTL	20000807AHP	HOWARD MINTZ	CORPUS CHRISTI	TX	131350
MX042	BNPTTL	20000828ASR	CHARLES C. TOWNSEND, III	REHOBOTH	DE	127694
MX044	BNPTTL	20000818ABW	TIGER EYE LICENSING, LLC.	PLAINVIEW	TX	125723
MX049	BNPTTL	20000818ADP	TIGER EYE LICENSING, LLC.	ABILENE	TX	126078
MX058	BNPTTL	20000830AWR	PAPPAS TELECASTING OF NEVADA, L.P.	ELKO	NV	129154
MX059	BNPTTL	20000828AWN	CHARLES C. TOWNSEND, III	BANGOR	ME	127984
MX067	BNPTTL	20000829AWV	KM COMMUNICATIONS, INC.	WAILUKU	HI	131150
MX082	BNPTTL	20000831AEH	ANDREW FARA	CHICO	CA	126977
MX083	BNPTTL	20000831CFD	KM COMMUNICATIONS, INC.	PRESCOTT	AZ	130491
MX089	BNPTTL	20000828AIU	SYDCOM, INC.	FORBES/JASPER CTY	TX	126580
MX098	BNPTTL	20000828AYF	CHARLES C. TOWNSEND, III	GRANTS	NM	128124
MX099	BNPTTL	20000828ARG	CHARLES C. TOWNSEND, III	BISHOP	CA	127593
MX101	BNPTTL	20000828ASO	CHARLES C. TOWNSEND, III	STEAMBOAT SPRINGS	CO	127688
MX104	BNPTTL	20000828AND	DEAN M. MOSELY	WINNFIELD	CA	127087
MX105	BNPTTL	20000830BBO	TELECOM WIRELESS, LLC	TUPELO	MS	129521
MX108	BNPTTL	20000828AOY	DEAN M. MOSELY	HATTIESBURG	MS	127265
MX110	BNPTTL	20000830BBG	TELECOM WIRELESS, LLC	FLAGSTAFF	AZ	129509
MX113	BNPTVL	20000828ASU	DEAN M. MOSELY	BASTROP	LA	127700
MX120	BNPTTL	20000830ARI	CHARLES C. TOWNSEND, III	STARKVILLE	MS	128683
MX124	BNPTVL	20000830ADF	MD BROADCASTING	COLUMBUS	GA	126882
MX129	BNPTTL	20000828BFS	CHANNEL 49 ACQUISITION CORPORATION	DENISON	TX	130288
MX137	BNPTTL	20000807AGT	HOWARD MINTZ	FLAGSTAFF	AZ	125496
MX138	BNPTTL	20000830BEH	TELECOM WIRELESS, LLC	IDAHO FALLS	ID	129822
MX141	BNPTTL	20000831CIP	CYRIL H. MILLER	AMARILLO	TX	130982
MX144	BNPTTL	20000830BKF	THREE ANGELS BROADCASTING NETWORK, INC.	AMARILLO	TX	130221
MX149	BNPTTL	20000830BBL	TELECOM WIRELESS, LLC	REDDIN	CA	129514
MX154	BNPTTL	20000830AOU	CHARLES C. TOWNSEND, III	ANCHORAGE	AK	128277
MX165	BNPTTL	20000830BTL	TELECOM WIRELESS, LLC	PORT ARTHUR	TX	131299
MX171	BNPTT	20000823ACD	KTVK, INC.	WILLIAMS-ASHFORK	AZ	126160
MX172	BNPTTL	20000830BLE	PANHANDLE TELECASTING CO.	CLOVIS	NM	130253
MX176	BNPTTL	20000830BCV	TELECOM WIRELESS, LLC	BUTTE	MT	129574
MX179	BNPTTL	20000807ADQ	AMANDA ORRICK	NORH PLATTE	NE	125228
MX184	BNPTTL	20000831BVE	VENTURE TECHNOLOGIES GROUP, LLC	BELLINGHAM	WA	129611
MX186	BNPTTL	20000830BLJ	PANHANDLE TELECASTING CO.	CANYON	TX	130256
MX189	BNPTTL	20000830BKE	THREE ANGELS BROADCASTING NETWORK, INC.	ERIE	PA	130220

MX197	BNPTTL	20000830BUZ	THREE ANGELS BROADCASTING NETWORK, INC.	GRAND RAPIDS	MN	136589
MX211	BNPTTL	20000831BZF	FIBERLESSNET, INC.	HALLETTSVILLE	TX	129828
MX216	BNPTTL	20000804ABP	TV 3, INC.	NEWPORT	AR	125337
MX240	BNPTVL	20000831BTS	TANANA VALLEY TELEVISION COMPANY	FAIRBANKS	AK	129430
MX244	BNPTTL	20000831AXO	FIBERLESSNET, INC.	BUCKEYE	AZ	128392