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## FCC Proposes New Annual Regulatory Fees for Fiscal Year 2004

The Commission has proposed new annual regulatory fees for Fiscal Year 2004, in which broadcasters will generally see significant increases over the fees charged in Fiscal Year 2003. Whereas last year VHF stations saw the most significant increases, this year it will be UHF stations that see the most dramatic increases: an average increase of 16% over all markets. The biggest single increase will be for UHF stations in Markets 11 to 25, which will see their annual fee jump from \$12,875 to \$16,175, an increase of approximately 26%.

With the exception of Class A and Class B AM stations in all markets, radio broadcasters will see only slight increases in their annual fees this year. The largest single increase is for FM Class A, B1 and C3 stations in markets with a population served of 75,001 to 150,000, which will increase approximately 11.5%, from \$1,300 to \$1,450. The smallest increase is for Class D AM stations in markets with a population served of 25,001 to 75,000, which will increase approximately 4%, from \$600 to \$625.

The most significant reduction applicable to broadcasters will be the cost of a UHF television construction permit, which will drop from \$8,300 to \$5,675, a reduction of approximately 31.5%. Other reductions include: a 12% drop in the cost of FM construction permits, from \$1,850 in 2003 to \$1,650 this year; a 4% reduction for VHF television stations in Markets 11 to 25, from \$43,225 to \$41,450 for this year; a 3% drop for VHF television stations in Markets 26 to 50, from \$30,125 to

\$29,150; a 3% reduction for VHF television stations in Markets 51 to 100, from \$18,075 to \$17,550; a 9% drop for VHF television stations in the remaining markets, from \$4,450 to \$4,050; and a 5% reduction for Part 25 earth stations, from \$210 to \$200.

The only fees applicable to broadcasters that were left unchanged from 2003 are: the General Mobile Radio Service (Part 95), which remains \$5; construction permits for satellite television stations, which remain \$515; and Broadcast Auxiliaries (Part 74), which remain \$10.00.

Included as an appendix to this **Memorandum** are tables showing the proposed fees. Comments on the Commission's *Notice of Proposed Rulemaking* are due by **April 21, 2004**, and reply comments are due by **April 30, 2004**. Historically, the FCC has issued a *Report and Order* on the final fees in July of the year that they take effect. For more information on the fees, including assistance in the preparation and filing of comments and reply comments, please contact any of the lawyers in the Communications Practice Group.

## Commission Announces Rescheduled FM Vacant Allotment Auction

The Commission has announced the rescheduled Auction 37 for vacant FM allotments. **The auction is now scheduled to be held on November 3, 2004.**

The auction will include 290 vacant FM allotments in 39 states and American Samoa and Guam. A copy of the Commission's *Public Notice* and a table listing all of the allotments are included as part of this **Memorandum**. Comments on the FCC's proposed auction procedures, which are set out in the *Public Notice*, must be filed electronically with the Commission by **May 6, 2004**. Reply comments must be filed electronically by **May 13, 2004**. For more information on the auction, including assistance in the preparation and filing of comments and reply comments, please contact any of the lawyers in the Communications Practice Group.

**New FM Allotments**

The following new FM allotments have been announced recently by the FCC. Allocations marked with an asterisk are reserved for noncommercial educational use. Filing windows will be announced in future auction *Public Notices*. For more information, please contact any of the lawyers in the Communications Practice Group.

<b>Community</b>	<b>Channel</b>
Valliant, OK	234C3
Cotulla, TX	264A
Dilley, TX	229A
Palm Coast, FL	254A
Daisy, AR	293C3
Trona, CA	255A
Muldrow, OK	286A
Rattan, OK	258A
Eastpoint, FL	283A
Port St. Joe, FL	270C3
Dalhart, TX	261C
Kermit, TX	229A
Leakey, TX	257A
Grants, NM	244C3
Fort Stockton, TX	263C
Estelline, TX	263C3
Sonora, TX	237C3
Ridgecrest, CA	252A
Okeechobee, FL	291A
George West, TX	250A
Broken Bow, OK	285A
Quartzsite, AZ	290C2
Belle Haven, VA	250B1
Nassawadox, VA	290A
Ridgecrest, CA	229A
Bangs, TX	250C3
De Beque, CO	275C3
Cove, AR	232A
Robert Lee, TX	289A
Harrison, MI	280A
Ehrenberg, AZ	286C2
Cambria, CA	287A
Wright City, OK	226A
Lamont, CA	247A
McFarland, CA	282A
Crowell, TX	293C3
Florien, LA	242A
Encino, TX	283A
Mertzson, TX	278C2
Marathon, TX	278C
Tallapoosa, GA	255A
Ash Fork, AZ	267A
Fredonia, AZ	278C1
Peach Springs, AZ	285C3
Beaver, UT	246A
Carrizozo, NM	261C2
Centerville, TX	274A

Hartington, NE	232C2
Salina, UT	233C
Presidio, TX	292C1
Silverton, TX	252A
Leedey, OK	297A
Memphis, TX	283A
Muleshoe, TX	227C1
Big Lake, TX	296C2
Turkey, TX	269A
Lynchburg, VA	229A
Charlotte Amalie, VI	257A
Frederiksted, VI	258A
Big Sur, CA	240A
Quinby, SC	237A
Encinal, TX	259A
Erick, OK	259C2
Haworth, OK	294A
Sheffield, TX	224C2
Annona, TX	263A

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**FCC Proposed Fiscal Year 2004 Schedule of Annual Regulatory Fees Applicable to Broadcasters**

<b>Fee Category</b>	<b>Annual Regulatory Fee (US \$)</b>
PLMRS (per license) (exclusive use) (47 CFR Part 90)	10
Microwave (per license) (47 CFR Part 101)	50
218-219 MHz (former IVDS) (per license) (47 CFR Part 95)	50
General Mobile Radio Service (per license) (47 CFR Part 95)	5
Multipoint Distribution Services (MMDS, LMDS & MDS) (per call sign) (47 CFR Part 21)	270
AM Radio Construction Permits	465
FM Radio Construction Permits	1,650
TV (47 CFR Part 73) VHF Commercial	
Markets 1 to 10	60,350
Markets 11 to 25	41,450
Markets 26 to 50	29,150
Markets 51 to 100	17,550
Remaining Markets	4,050
Construction Permits	4,650
TV (47 CFR Part 73) UHF Commercial	
Markets 1 to 10	17,775
Markets 11 to 25	16,175
Markets 26 to 50	9,300
Markets 51 to 100	5,550
Remaining Markets	1,650
Construction Permits	5,675
Satellite Television Stations (all markets)	1,050
Construction Permits – Satellite Television Stations	515
Low Power TV, TV/FM Translators & Boosters (47 CFR Part 74)	385
Broadcast Auxiliary (47 CFR Part 74)	10
Earth Stations (47 CFR Part 25)	200
International (HF) Broadcast (47 CFR Part 73)	745

**FCC Proposed Fiscal Year 2004 Schedule of Annual Regulatory Fees for Radio Stations**

Population Served	AM Class A	AM Class B	AM Class C	AM Class D	FM Classes A, B1 & C3	FM Classes B, C, C0, C1 & C2
<= 25,000	600	450	350	425	525	675
25,001 to 75,000	1,200	900	525	625	1,050	1,175
75,001 to 150,000	1,800	1,125	700	1,075	1,450	2,200
150,001 to 500,000	2,700	1,925	1,050	1,275	2,225	2,875
500,001 to 1,200,000	3,900	2,925	1,750	2,125	3,550	4,225
1,200,001 to 3,000,000	6,000	4,500	2,625	3,400	5,775	6,750
> 3,000,000	7,200	5,400	3,325	4,250	7,350	8,775



**PUBLIC NOTICE**  
**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12th STREET, S.W.**  
**WASHINGTON, D.C. 20554**

News Media Information: (202)  
418-0500  
Fax-On-Demand: (202) 418-2830  
Internet: <http://www.fcc.gov>

**DA 04-1020**  
**April 15, 2004**

**REVISED INVENTORY AND AUCTION START DATE**  
**FOR FM BROADCAST CONSTRUCTION PERMITS**

**Auction Rescheduled for November 3, 2004**

**COMMENT SOUGHT**  
**ON RESERVE PRICES OR MINIMUM OPENING BIDS**  
**AND OTHER AUCTION PROCEDURES**

**Report No. AUC-04-37-I (Auction No. 37)**

By this Public Notice, the Wireless Telecommunications Bureau ("WTB") and the Media Bureau ("MB") (collectively referred to as the "Bureaus") reschedule the postponed FM Broadcast auction ("Auction No. 37") for November 3, 2004, and seek comment on previously announced procedures for Auction No. 37. Also by this Public Notice, we announce the revised auction inventory for Auction No. 37. As discussed in greater detail herein, Auction No. 37 will be composed of 290 construction permits in the FM broadcast service as listed in Attachment A.

Specifically, Attachment A lists vacant FM allotments, reflecting FM channels assigned to the Table of FM Allotments, 47 C.F.R. § 73.202(b), pursuant to the Commission's established rulemaking procedures, designated for use in the indicated community. Pursuant to the policies established in the *Broadcast First Report and Order*, applicants may apply for any vacant FM allotment, as specified in Attachment A; applicants specifying the same FM allotment will be considered mutually exclusive and, thus, the construction permit for the FM allotment will be awarded by competitive bidding procedures.<sup>1</sup> The reference coordinates for each vacant FM allotment are also listed in Attachment A.<sup>2</sup>

<sup>1</sup> See Implementation of Section 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses, *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, 15961, 15974-15975 (1998) ("*Broadcast First Report and Order*"), *on recon.*, *Memorandum Opinion and Order*, 14 FCC Rcd 8724 (1999), *on further recon.*, *Memorandum Opinion and Order*, 14 FCC Rcd 14521(1999).

<sup>2</sup> With regard to the FM service, in the *Broadcast First Report and Order*, the Commission gave applicants the opportunity to submit a set of preferred site coordinates as an alternative to the reference coordinates for the vacant FM allotment upon which they intend to bid. Detailed instructions for specifying preferred site coordinates will be given in a future Public Notice announcing the terms and conditions of Auction No. 37, which will provide guidelines for completing FCC Form 175 and exhibits. See *Broadcast First Report and Order*, 13 FCC Rcd at 15974 and n.153.

## I. BACKGROUND

Auction No. 37 was originally scheduled to commence February 21, 2001, but was subsequently postponed.<sup>3</sup> In the *Report and Order in Reexamination of the Comparative Standards for Noncommercial Educational Applicants*, the Commission adopted new procedures to select among applicants competing for noncommercial educational (“NCE”) reserved channels.<sup>4</sup> The Commission also concluded that it would use competitive bidding to select among competing applications for nonreserved channels even if NCE applicants are among the competitors.<sup>5</sup> Several parties, including National Public Radio, sought judicial review of this decision in the U.S. Court of Appeals for the D.C. Circuit. In *National Public Radio, Inc. et al. v. F.C.C.*, the court of appeals vacated the portion of the *NCE Report and Order* that required NCE applicants for authorizations in the nonreserved spectrum to participate in auctions with mutually exclusive commercial applicants.<sup>6</sup> In light of *NPR*, the Commission postponed Auction No. 37 while it formulated its response to the court’s decision.<sup>7</sup>

In the *NCE Second Report and Order*, the Commission established new policies and procedures for licensing nonreserved broadcast spectrum in response to *NPR*. Pursuant to a *Public Notice* released September 30, 2003, the Media Bureau opened a window to permit NCE reservation showings for certain vacant FM allotments.<sup>8</sup> The *Public Notice* established a November 21, 2003, deadline for filing petitions for rulemaking to amend the FM Table of Allotments to reserve FM channels.<sup>9</sup> By the reservation filing deadline, 129 Petitions for Rulemaking had been filed, including petitions to reserve 60 vacant FM allotments previously scheduled to be included in Auction No. 37.

In Attachment A to the *2001 Auction No. 37 Procedures Public Notice*, the Bureaus listed 351 FM allotments for which construction permits would be auctioned. The Bureaus subsequently added and removed certain allotments

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<sup>3</sup> The original February 21, 2000, date for Auction No. 37 was postponed to May 9, 2001, in the Public Notice announcing the minimum opening bids and auction procedures. “Auction Notice and Filing Requirements for FM Broadcast Construction Permits; Auction Rescheduled from February 21, 2001 to May 9, 2001; Minimum Opening Bids and Other Procedural Issues,” *Public Notice*, 16 FCC Rcd 928 (WTB/MMB 2001) (“*2001 Auction No. 37 Procedures Public Notice*”). The May 9, 2001, commencement date was postponed until December 5, 2001, in a March 7, 2001, Public Notice. “Auction for FM Broadcast Construction Permits Postponed until December 5, 2001,” *Public Notice*, 16 FCC Rcd 5850 (WTB/MMB 2001). The December 5, 2001, commencement date was postponed indefinitely in the *September 2001 Postponement Public Notice*. “FM Auction No. 37 Postponed,” *Public Notice*, 16 FCC Rcd 16479 (WTB/MMB 2001) (“*September 2001 Postponement Public Notice*”).

<sup>4</sup> *Reexamination of the Comparative Standards for Noncommercial Educational Applicants*, MM Docket 95-31, *Notice of Proposed Rulemaking*, 10 FCC Rcd 2877 (1995); *Further Notice of Proposed Rulemaking*, 13 FCC Rcd 21167 (1998); *Report and Order*, 15 FCC Rcd 7386 (2000) (“*NCE Report and Order*”); *Memorandum Opinion and Order*, 16 FCC Rcd 5074 (2001) (“*NCE MO&O*”); *Second Report and Order*, 18 FCC Rcd 6691 (2003) (“*NCE Second Report and Order*”). Petitions for reconsideration of the *NCE Second Report and Order* are pending with the Commission. See “Petitions for Reconsideration and Clarification of Action in Rulemaking Proceeding,” *Public Notice*, Report No. 2614 (rel. July 1, 2003).

<sup>5</sup> *NCE Report and Order*, 15 FCC Rcd at 7433 ¶ 111. In the *NCE Report and Order*, the Commission also adopted comparative standards to select among competing applicants for NCE broadcast stations on channels reserved for their exclusive use, and relaxed the standards for reserving a nonreserved FM channel for NCE use. The newly adopted comparative standards to select among competing applicants for NCE broadcast stations have not yet been implemented because they also have been challenged in court. See *American Family Association, Inc. et al. v. F.C.C.*, *appeal docketed*, Case No. 00-1310 (D.C. Cir. July 14, 2000).

<sup>6</sup> *National Public Radio, Inc. et al. v. FCC*, 254 F.3d 226 (D.C. Cir. 2001) (“*NPR*”).

<sup>7</sup> See *September 2001 Postponement Public Notice*, 16 FCC Rcd 16479.

<sup>8</sup> “Media Bureau Opens Window to Permit Noncommercial Educational Reservation Showings for Certain Vacant FM Allotments,” *Public Notice*, 18 FCC Rcd 19600 (MB 2003).

<sup>9</sup> See 47 C.F.R. § 73.202(b).

from the Auction No. 37 inventory,<sup>10</sup> and the resulting FM allotments, minus those for which Petitions for Rulemaking requesting reservation as NCE channels have been filed, will comprise the inventory for Auction No. 37. Therefore, Auction No. 37 will consist of 290 construction permits in the FM broadcast service for stations throughout the United States and Guam. These construction permits are for vacant FM allotments, reflecting FM channels assigned to the Table of FM Allotments, 47 C.F.R. § 73.202(b).<sup>11</sup>

The Balanced Budget Act of 1997 requires the Commission to “ensure that, in the scheduling of any competitive bidding under this subsection, an adequate period is allowed . . . before issuance of bidding rules, to permit notice and comment on proposed auction procedures . . . .”<sup>12</sup> Consistent with the provisions of the Balanced Budget Act and to ensure that potential bidders have adequate time to familiarize themselves with the specific rules that will govern the day-to-day conduct of an auction, the Commission directed the WTB, under its existing delegated authority,<sup>13</sup> to seek comment on a variety of auction-specific procedures prior to the start of each auction.<sup>14</sup> Before Auction No. 37 was postponed, on September 25, 2000, the Bureaus released a public notice<sup>15</sup> seeking comment on

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<sup>10</sup> See, e.g., “Auction of Additional FM Broadcast Construction Permits To Be Included In Auction No. 37 Scheduled For February 21, 2001,” *Public Notice*, 15 FCC Rcd 25486 (WTB/MMB 2000) (“*Auction No. 37 Additional Comment Public Notice*”); *2001 Auction No. 37 Procedures Public Notice*, 16 FCC Rcd 928; “Removal of FM Broadcast Construction Permit from Auction No. 37,” *Public Notice*, 16 FCC Rcd 2522 (WTB/MMB January 30, 2001) (removing Channel 252C3 at Long Beach, NC, FM 190, from the Auction No. 37 inventory); “Removal of FM Broadcast Construction Permit from Auction No. 37,” *Public Notice*, 16 FCC Rcd 4627 (WTB/MMB February 22, 2001) (removing Channel 254A at Laramie, WY, FM 350, from the Auction No. 37 inventory).

<sup>11</sup> When two or more short-form applications (FCC Form 175) are accepted for filing within an MX Group, mutual exclusivity exists for auction purposes. *Broadcast First Report and Order*, 13 FCC Rcd at 15978-80, ¶¶ 149-154. See also Implementation of Section 309(j) of the Communications Act – Competitive Bidding, PP Docket No. 93-252, *Second Report and Order*, 9 FCC Rcd 2348, 2376, ¶ 165 (1994). Once mutual exclusivity exists for auction purposes, even if only one applicant within an MX Group submits an upfront payment, that applicant is required to submit a bid in order to obtain the construction permit. Any applicant that submits a short-form application that is accepted, but fails to timely submit an upfront payment, will retain its place in the MX Group but, having purchased no bidding eligibility, will not be eligible to bid.

<sup>12</sup> Section 3002(a)(E)(i), Balanced Budget Act of 1997, Pub. L. 105-33, 111 Stat. 251 (1997), amending Section 309(j) of the Communications Act, 47 U.S.C. § 309(j) (“Balanced Budget Act”).

<sup>13</sup> See Amendment of Part 1 of the Commission's Rules – Competitive Bidding Procedures, WT Docket No. 97-82, *Order, Memorandum Opinion and Order, and Notice of Proposed Rule Making*, 12 FCC Rcd 5686, 5697, ¶ 16 (1997) (“*Part 1 Order*”) (“We also clarify that pursuant to Section 0.131 of our rules, the Chief, Wireless Telecommunications Bureau, has delegated authority to implement all of the Commission's rules pertaining to auctions procedures”).

<sup>14</sup> See Amendment of Part 1 of the Commission's Rules – Competitive Bidding Procedures, Allocation of Spectrum Below 5 GHz Transferred from Federal Government Use, 4660-4685 MHz, WT Docket No. 97-82, ET Docket No. 94-32, *Third Report and Order and Second Further Notice of Proposed Rule Making*, 13 FCC Rcd 374, 448, ¶ 124 (1998) (“*Part 1 Third Report and Order*”). The Commission directed the WTB to seek comment on specific mechanisms related to day-to-day auction conduct including, for example, the structure of bidding rounds and stages, establishment of minimum opening bids or reserve prices, minimum acceptable bids, initial maximum eligibility for each bidder, activity requirements for each stage of the auction, activity rule waivers, criteria for determining reductions in eligibility, information regarding bid withdrawal and bid removal, stopping rules, and information relating to auction delay, suspension or cancellation. *Id.* at ¶ 125. See also *Broadcast First Report and Order*, 13 FCC Rcd at 15967-15968. (Consistent with the Part 1 rules, the Commission delegated authority to the Mass Media Bureau [now Media Bureau] to seek comment on and establish an appropriate auction design methodology prior to the start of each broadcast auction).

<sup>15</sup> “FM Broadcast Auction Scheduled for February 21, 2001; Comment Sought on Reserve Prices or Minimum Opening Bids and Other Auction Procedural Issues,” *Public Notice*, 15 FCC Rcd 18081 (WTB/MMB 2000) (“*2000 Auction No. 37 Comment Public Notice*”).

the establishment of reserve prices and/or minimum opening bids and procedures for Auction No. 37, in accordance with the Balanced Budget Act of 1997.<sup>16</sup> On September 29, 2000, the Bureaus released a second Public Notice, adding eight additional vacant FM allotments to the auction inventory and seeking comment on auction procedures and minimum opening bids with respect to the additional allotments.<sup>17</sup> The Bureaus received twenty comments and three reply comments in response to the *2000 Auction No. 37 Comment Public Notice* and the *Auction No. 37 Additional Comment Public Notice*. Following this round of comments, on January 19, 2001, the Bureaus released the *2001 Auction No. 37 Procedures Public Notice*,<sup>18</sup> in which the Bureaus, *inter alia*, reduced the minimum opening bids for the Auction No. 37 construction permits and set forth the procedures to be followed in Auction No. 37. We take this opportunity to seek comment again on the following issues related to Auction No. 37.

## II. AUCTION STRUCTURE

### A. Simultaneous Multiple Round Auction Design

We propose to award all construction permits included in Auction No. 37 in a single stage, simultaneous multiple round auction. As described further below, this methodology offers every construction permit for bid at the same time with successive bidding rounds in which bidders may place bids. We seek comment on this proposal.<sup>19</sup>

### B. Upfront Payments and Bidding Eligibility

The Bureaus have delegated authority and discretion to determine an appropriate upfront payment for each FM construction permit being auctioned, taking into account such factors as the efficiency of the auction process and the potential value of spectrum.<sup>20</sup> As described further below, the upfront payment is a refundable deposit made by each bidder to determine and establish eligibility to bid on FM construction permits. Upfront payments related to the specific spectrum subject to auction protect against frivolous or insincere bidding and provide the Commission with a source of funds from which to collect payments owed at the close of the auction.<sup>21</sup> With these guidelines in mind for Auction No. 37, as well as comments received in response to the *2000 Auction 37 Comment Public Notice* and *Auction No. 37 Additional Comment Public Notice*, we propose to make the upfront payments equal to the minimum opening bids, which, as described in Section III.B, below, are established based on various factors related to the efficiency of the auction and the potential value of the spectrum. The specific upfront payment for each FM construction permit is set forth in Attachment A. We seek comment on this proposal.

We further propose that the amount of the upfront payment submitted by a bidder will determine the maximum number of bidding units on which a bidder may place bids. This limit is a bidder's initial eligibility. Each FM construction permit is assigned a specific number of bidding units equal to the upfront payment listed in Attachment A, on a bidding unit per dollar basis. This number does not change as prices rise during the auction. Rather, a bidder may place bids on multiple construction permits as long as the total number of bidding units associated with those construction permits does not exceed the bidder's current eligibility. Eligibility cannot be increased during the auction. In order to bid on a construction permit, qualified bidders must have an eligibility level that meets the number of bidding units assigned to that construction permit. Thus, in calculating its upfront payment amount, an

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<sup>16</sup> Section 3002(a), Balanced Budget Act, 47 U.S.C. §309(j)(4)(F). The Commission's authority to establish a reserve price or minimum opening bid is set forth in 47 C.F.R. § 1.2104 (c) and (d).

<sup>17</sup> See *Auction No. 37 Additional Comment Public Notice*, 15 FCC Rcd 25486. Because the market numbers were revised to reflect the addition of these eight vacant FM allotments, the Attachment A in the *Auction No. 37 Additional Comment Public Notice* superseded the Attachment A in the *2000 Auction No. 37 Comment Public Notice*.

<sup>18</sup> *2001 Auction No. 37 Procedures Public Notice*, 16 FCC Rcd 928.

<sup>19</sup> See Implementation of Section 309(j) of the Communications Act – Competitive Bidding, PP Docket No. 93-253, *Second Report and Order*, 9 FCC Rcd 2348, 2378-79, ¶¶ 171-176 (1994) (“*Second Report and Order*”) for a general discussion of competitive bidding design.

<sup>20</sup> See *Broadcast First Report and Order*, 13 FCC Rcd at 15971, ¶ 134.

<sup>21</sup> See *Second Report and Order*, 9 FCC Rcd 2348, 2378-79, ¶¶ 171-176 (1994).

applicant must determine the **maximum** number of bidding units it may wish to bid on (or hold high bids on) in any single round, and submit an upfront payment covering that number of bidding units. We seek comment on this proposal.

#### C. Activity Rules

In order to ensure that the auction closes within a reasonable period of time, an activity rule requires bidders to bid actively throughout the auction, rather than wait until late in the auction before participating. Bidders are required to be active on a specific percentage of their current eligibility during each round of the auction. A bidder that does not satisfy the activity rule will either lose bidding eligibility in the next round or must use an activity rule waiver (if any remain).

We propose a single stage auction with the following activity requirement: In each round of the auction, a bidder desiring to maintain its current eligibility is required to be active on construction permits representing one hundred (100) percent of its current bidding eligibility. A bidder's activity will be the sum of the bidding units associated with the construction permits upon which it places a bid during the current round and the bidding units associated with the construction permits upon which it is the standing high bidder. Failure to maintain the requisite activity level will result in the use of an activity rule waiver, if any remain, or a reduction in the bidder's eligibility, possibly eliminating the bidder from further bidding in the auction. We seek comment on this proposal.

#### D. Activity Rule Waivers and Reducing Eligibility

Use of an activity rule waiver preserves the bidder's current bidding eligibility despite the bidder's activity in the current round being below the required minimum level. An activity rule waiver applies to an entire round of bidding and not to a particular construction permit. Activity rule waivers can be either proactive or automatic and are principally a mechanism for auction participants to avoid the loss of bidding eligibility in the event that exigent circumstances prevent them from placing a bid in a particular round.

The FCC Automated Auction System assumes that bidders with insufficient activity would prefer to use an activity rule waiver (if available) rather than lose bidding eligibility. Therefore, the system will automatically apply a waiver (known as an "automatic waiver") at the end of any bidding period where a bidder's activity level is below the minimum required, unless (1) the bidder has no more activity rule waivers available; or (2) the bidder overrides the automatic application of a waiver by reducing eligibility, thereby meeting the minimum requirements. **If a bidder has no waivers remaining and does not satisfy the required activity level, its current eligibility will be permanently reduced, possibly eliminating the bidder from further bidding in the auction.**

A bidder that is eligible to bid on more than one construction permit and has insufficient activity may wish to reduce its bidding eligibility rather than use an activity rule waiver. If so, the bidder must affirmatively override the automatic waiver mechanism during the bidding period by using the reduce eligibility function in the bidding system. In this case, the bidder's eligibility is permanently reduced to bring the bidder into compliance with the activity rules as described above; that is, the bidder's eligibility will be reduced to equal its current activity. Once eligibility has been reduced, a bidder will not be permitted to regain its lost bidding eligibility.

A bidder may proactively use an activity rule waiver as a means to keep the auction open without placing a bid. If a bidder submits a proactive waiver (using the proactive waiver function in the bidding system) during a bidding period in which no bids or withdrawals are submitted, the auction will remain open and the bidder's eligibility will be preserved. An automatic waiver invoked in a round in which there are no new bids or withdrawals will not keep the auction open. The submission of a proactive waiver cannot occur after a bid has been submitted in a round and will preclude a bidder from placing any bids later in that round. **Note: Once a proactive waiver is submitted during a round, that waiver cannot be unsubmitted.**

We propose that each bidder in Auction No. 37 be provided with five activity rule waivers that may be used at the bidder's discretion during the course of the auction as set forth above. We seek comment on this proposal.

#### E. Information Relating to Auction Delay, Suspension or Cancellation

For Auction No. 37, we propose that, by public notice or by announcement during the auction, the Bureaus may delay, suspend or cancel the auction in the event of natural disaster, technical obstacle, evidence of an auction

security breach, unlawful bidding activity, administrative or weather necessity, or for any other reason that affects the fair and efficient conduct of competitive bidding.<sup>22</sup> In such cases, the Bureaus, in their sole discretion, may elect to resume the auction starting from the beginning of the current round, resume the auction starting from some previous round, or cancel the auction in its entirety. Network interruption may cause the Bureaus to delay or suspend the auction. We emphasize that exercise of this authority is solely within the discretion of the Bureaus, and its use is not intended to be a substitute for situations in which bidders may wish to apply their activity rule waivers. We seek comment on this proposal.

### III. BIDDING PROCEDURES

#### A. Round Structure

The Commission will conduct Auction No. 37 over the Internet. Telephonic bidding will also be available. As a contingency plan, the FCC Wide Area Network will be available as well. The telephone number through which the backup FCC Wide Area Network may be accessed will be announced in a later public notice. Full information regarding how to establish such a connection will be provided in the public notice announcing details of auction procedures.

In the *2001 Auction No. 37 Procedures Public Notice*, the Bureaus announced that auction participants could place bids either by telephone or electronically by purchasing remote bidding software from the Commission. Bidders will still be able to place bids telephonically or electronically. However, the Commission's remote bidding software has been replaced by an Internet bidding system. The new bidding system does not require the purchase of software; however, it does require distribution of registration materials to each applicant's contact person. These materials include the confidential bidder identification number (BIN) and the SecurID cards, both of which are required to place bids.

The initial schedule of bidding rounds will be announced in a public notice to be released at least one week before the start of the auction, and will be included in the registration mailings. The simultaneous multiple round format will consist of sequential bidding rounds, each followed by the release of round results. Details regarding the location and format of round results will be included in the same public notice.

The Bureaus have the discretion to change the bidding schedule in order to foster an auction pace that reasonably balances speed with the bidders' need to study round results and adjust their bidding strategies. The Bureaus may increase or decrease the amount of time for the bidding rounds and review periods, or the number of rounds per day, depending upon the bidding activity level and other factors. We seek comment on this proposal.

#### B. Reserve Price or Minimum Opening Bid

The Balanced Budget Act calls upon the Commission to prescribe methods for establishing a reasonable reserve price or a minimum opening bid when FCC licenses or construction permits are subject to auction, unless the Commission determines that a reserve price or minimum bid is not in the public interest.<sup>23</sup> Consistent with this mandate, the Commission has directed the Bureaus to seek comment on the use of a minimum opening bid and/or reserve price prior to the start of each auction.<sup>24</sup>

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. It is generally used to accelerate the

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<sup>22</sup> See 47 C.F.R. § 1.2104(i).

<sup>23</sup> See Balanced Budget Act, Section 3002(a). The Commission's authority to establish a reserve price or minimum opening bid is set forth in 47 C.F.R. § 1.2104(c) and (d).

<sup>24</sup> See *Broadcast First Report and Order*, 13 FCC Rcd at 15971, ¶ 134; *Part 1 Third Report and Order*, 13 FCC Rcd at 454-55, ¶ 141.

competitive bidding process. Also, the auctioneer often has the discretion to lower the minimum opening bid amount later in the auction. It is also possible for the minimum opening bid and the reserve price to be the same amount.

In light of the Balanced Budget Act's requirements, as well as comments received in response to the *2000 Auction 37 Comment Public Notice* and *Auction No. 37 Additional Comment Public Notice*, the Bureaus propose to establish minimum opening bids for Auction No. 37. The Bureaus believe a minimum opening bid, which has been utilized in other broadcast auctions, is an effective bidding tool.<sup>25</sup>

Specifically, for Auction No. 37, the proposed minimum opening bids were determined by taking into account various factors related to the efficiency of the auction and the potential value of the spectrum, including the type of service and class of facility offered, market size, population covered by the proposed FM broadcast facility, industry cash flow data and recent broadcast transactions. As noted above, the proposed minimum opening bids were reduced after reviewing comments received in response to the *2000 Auction 37 Comment Public Notice* and *Auction No. 37 Additional Comment Public Notice*.<sup>26</sup> The specific minimum opening bid for each construction permit available in Auction No. 37 is set forth in Attachment A of this Public Notice. We seek comment on this proposal.

If commenters believe that these minimum opening bids will result in unsold construction permits, or are not reasonable amounts, or should instead operate as reserve prices, they should explain why this is so, and comment on the desirability of an alternative approach. Commenters are advised to support their claims with valuation analyses and suggested reserve prices or minimum opening bid levels or formulas. We also seek comment on whether, consistent with the Balanced Budget Act, the public interest would be served by having no minimum opening bid or reserve price.

### C. Minimum Acceptable Bids and Bid Increments

In each round, eligible bidders will be able to place bids on a given construction permit in any of nine different amounts.<sup>27</sup> The FCC Automated Auction System interface will list the nine acceptable bid amounts for each construction permit. Until a bid has been placed on a construction permit, the minimum acceptable bid for that construction permit will be equal to its minimum opening bid. In the rounds after a bid is placed on a construction permit, the minimum acceptable bid for that construction permit will be equal to the standing high bid plus the defined increment.

Once there is a standing high bid on a construction permit, the FCC Automated Auction System will calculate a minimum acceptable bid for that construction permit for the following round, as described below. The difference between the minimum acceptable bid and the standing high bid for each construction permit will define the **bid increment**. The nine acceptable bid amounts for each construction permit consist of the minimum acceptable bid (the standing high bid plus one bid increment) and additional amounts calculated using multiple bid increments (*i.e.*, the second bid amount equals the standing high bid plus two times the bid increment, the third bid amount equals the standing high bid plus three times the bid increment, etc.).

For Auction No. 37, we propose to use a 10 percent bid increment. This means that the minimum acceptable bid for a construction permit will be approximately 10 percent greater than the previous standing high bid received on the construction permit. The minimum acceptable bid amount will be calculated by multiplying the standing high bid times one plus the increment percentage — *i.e.*, (standing high bid) \* (1.10). We will round the result using our

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<sup>25</sup> See, e.g., "Closed Broadcast Auction – Notice and Filing Requirements for Auction of AM, FM, TV, LPTV and FM and TV Translator Construction Permits – Minimum Opening Bids and Other Procedural Issues," Auction No. 25, DA 99-1346, *Public Notice*, 14 FCC Rcd 10632 (1999); "Supplemental Closed Broadcast Auction – Notice and Filing Requirements for Auction of Certain AM, FM, LPTV and TV Broadcast Construction Permits – Minimum Opening Bids and Other Procedural Issues," Auction No. 28, DA 99-2958, *Public Notice* (rel. December 23, 1999).

<sup>26</sup> *2001 Auction No. 37 Procedures Public Notice*, 16 FCC Rcd at 953-54, 961-68.

<sup>27</sup> Bidders must have sufficient eligibility to place a bid on the particular construction permit. See Section II.B. ("Upfront Payments and Bidding Eligibility"), *supra*.

standard rounding procedure for minimum acceptable bid calculations: results above \$10,000 are rounded to the nearest \$1,000; results below \$10,000 but above \$1,000 are rounded to the nearest \$100; and results below \$1,000 are rounded to the nearest \$10.

As stated above, until a bid has been placed on a construction permit, the minimum acceptable bid for that construction permit will be equal to its minimum opening bid. The additional bid amounts are calculated using the difference between the minimum opening bid times one plus the percentage increment, rounded as described above, and the minimum opening bid. That is, the increment used to calculate additional bid amounts = (minimum opening bid)(1 + percentage increment){rounded} - (minimum opening bid). Therefore, when the percentage increment equals 0.1 (*i.e.*, 10%), the first additional bid amount will be approximately ten percent higher than the minimum opening bid; the second, twenty percent higher; the third, thirty percent higher; etc.

The Bureaus retain the discretion to change the minimum acceptable bids and bid increments if they determine that circumstances so dictate. The Bureaus will do so by announcement in the FCC Automated Auction System. We seek comment on these proposals.

#### **D. High Bids**

At the end of a bidding round, a high bid for each construction permit will be determined based on the highest gross bid amount received for the construction permit. The Internet bidding system does not allow the Commission to determine the relative order in which bids are placed during a round. Because of this, in the event of identical high bids on a construction permit in a given round (*i.e.*, tied bids), a Sybase® SQL pseudo-random number generator will be used to assign a random number to each bid. The tied bid having the highest random number will become the standing high bid. If the auction were to end with no higher bids being placed for that construction permit, the winning bidder would be the one that placed the selected high bid. However, the remaining bidders, as well as the high bidder, can submit higher bids in subsequent rounds. If any bids are received on the construction permit in a subsequent round, the high bid again will be determined by the highest gross bid amount received for the construction permit. We seek comment on this proposal.

A high bid will remain the high bid until there is a higher bid on the same construction permit at the close of a subsequent round. A high bid from a previous round is sometimes referred to as a “standing high bid.” Bidders are reminded that standing high bids are counted as activity for purposes of the activity rule.<sup>28</sup>

#### **E. Information Regarding Bid Withdrawal and Bid Removal**

For Auction No. 37, we propose the following bid removal and bid withdrawal procedures. Before the close of a bidding period, a bidder has the option of removing any bid placed in that round. By removing selected bids in the bidding system, a bidder may effectively “unsubmit” any bid placed within that round. A bidder removing a bid placed in the same round is not subject to a withdrawal payment. Once a round closes, a bidder may no longer remove a bid.

A high bidder may withdraw standing high bids from previous rounds using the withdraw function in the bidding system. A high bidder that withdraws its standing high bid from a previous round is subject to the bid withdrawal payment provisions of the Commission rules.<sup>29</sup> We seek comment on these bid removal and bid withdrawal procedures.

In the *Part 1 Third Report and Order*, the Commission explained that allowing bid withdrawals facilitates efficient aggregation of licenses and the pursuit of efficient backup strategies as information becomes available during the course of an auction. The Commission noted, however, that in some instances bidders may seek to withdraw bids for improper reasons. The Bureaus, therefore, have the discretion, in managing the auction, to limit the number of withdrawals to prevent any bidding abuses. The Commission stated that the Bureaus should assertively exercise their discretion, consider limiting the number of rounds in which bidders may withdraw bids, and prevent bidders

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<sup>28</sup> See Section II.C. “Activity Rules,” *supra*.

<sup>29</sup> See 47 C.F.R. § 1.2104(g); 1.2109.

from bidding on a particular market if the Bureaus find that a bidder is abusing the Commission's bid withdrawal procedures.<sup>30</sup>

Applying this reasoning, we propose to limit each bidder in Auction No. 37 to withdraw standing high bids in no more than two rounds during the course of the auction. To permit a bidder to withdraw bids in more than two rounds would likely encourage insincere bidding or the use of withdrawals for anti-competitive strategic purposes. The two rounds in which withdrawals are utilized will be at the bidder's discretion; withdrawals otherwise must be in accordance with the Commission's rules. There is no limit on the number of standing high bids that may be withdrawn in either of the rounds in which withdrawals are utilized. Withdrawals will remain subject to the bid withdrawal payment provisions specified in the Commission's rules. We seek comment on these proposals.

#### F. Stopping Rule

The Bureaus have the discretion "to establish stopping rules before or during multiple round auctions in order to terminate the auction within a reasonable time."<sup>31</sup> For Auction No. 37, the Bureaus propose to employ a simultaneous stopping rule approach. A simultaneous stopping rule means that all construction permits remain available for bidding until bidding closes simultaneously on all construction permits.

Bidding will close simultaneously on all construction permits after the first round in which no new bids, proactive waivers or withdrawals are received. Thus, unless circumstances dictate otherwise, bidding would remain open on all construction permits until bidding stops on every permit.

However, the Bureaus propose to retain the discretion to exercise any of the following options during Auction No. 37:

1. Utilize a modified version of the simultaneous stopping rule. The modified stopping rule would close the auction for all construction permits after the first round in which no bidder submits a proactive waiver, withdrawal, or a new bid on any construction permit on which it is not the standing high bidder. Thus, absent any other bidding activity, a bidder placing a new bid on a construction permit for which it is the standing high bidder would not keep the auction open under this modified stopping rule.
2. Keep the auction open even if no new bids or proactive waivers are submitted and no previous high bids are withdrawn. In this event, the effect will be the same as if a bidder had submitted a proactive waiver. The activity rule, therefore, will apply as usual and a bidder with insufficient activity will either lose bidding eligibility or use a remaining activity rule waiver.
3. Declare that the auction will end after a specified number of additional rounds ("special stopping rule"). If the Bureaus invoke this special stopping rule, it will accept bids in the specified final round(s) only for construction permits on which the high bid increased in at least one of a specified preceding number of rounds.

The Bureaus propose to exercise these options only in certain circumstances, for example, where the auction is proceeding very slowly, there is minimal overall bidding activity, or it appears likely that the auction will not close within a reasonable period of time. Before exercising these options, the Bureaus are likely to attempt to increase the pace of the auction by, for example, increasing the number of bidding rounds per day, and/or increasing the amount of the minimum bid increments for the limited number of construction permits where there is still a high level of bidding activity. We seek comment on these proposals.

#### IV. DUE DILIGENCE

Potential bidders are solely responsible for investigating and evaluating all technical and market place factors that may have a bearing on the value of the broadcast facilities in this auction. **The FCC makes no representations or**

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<sup>30</sup> *Part 1 Third Report and Order*, 13 FCC Rcd at 460, ¶ 150.

<sup>31</sup> 47 C.F.R. § 1.2104(e).

**warranties about the use of this spectrum for particular services. Applicants should be aware that an FCC auction represents an opportunity to become an FCC permittee in the broadcast service, subject to certain conditions and regulations. An FCC auction does not constitute an endorsement by the FCC of any particular service, technology, or product, nor does an FCC construction permit or license constitute a guarantee of business success.** Applicants should perform their individual due diligence before proceeding as they would with any new business venture. In particular, potential bidders are strongly encouraged to review all underlying Commission orders, such as the specific *Report and Order* amending the FM Table of Allotments and allotting the FM channel(s) on which they plan to bid.<sup>32</sup> *Reports and Orders* adopted in FM allotment rulemaking proceedings often include anomalies such as site restrictions or expense reimbursement requirements.<sup>33</sup> Additionally, potential bidders should perform technical analyses sufficient to assure them that, should they prevail in competitive bidding for a given FM construction permit, they will be able to build and operate facilities that will fully comply with the Commission's technical and legal requirements.

Potential bidders are strongly encouraged to conduct their own research prior to Auction No. 37 in order to determine the existence of pending proceedings that might affect their decisions regarding participation in the auction. Participants in Auction No. 37 are strongly encouraged to continue such research during the auction.

## V. DATES AND DEADLINES

The auction is scheduled to begin on November 3, 2004. In the public notice announcing the auction procedures, we will announce the following additional pre-auction dates and deadlines:

- Auction Seminar
- Short-Form Application (FCC Form 175) Filing Window Opens
- Short-Form Application (FCC Form 175) Filing Window Deadline
- Upfront Payments (via wire transfer)
- Mock Auction

After bidding has ended, the Commission will issue a public notice declaring the auction closed and identifying winning bidders, down payments, final payments, and any withdrawn bid payments due.

Within ten business days after release of the auction closing notice, each winning bidder must submit sufficient funds (in addition to its upfront payment) to bring its total amount of money on deposit with the Commission for Auction No. 37 to 20 percent of the net amount of its winning bids (gross bids less any applicable bidding credits). In addition, by the same deadline, all bidders must pay any bid withdrawal payments due under 47 C.F.R. § 1.2104(g).

WTB now employs a final payment deadline different from that announced in the *2001 Procedures Public Notice*.<sup>34</sup> Consistent with current practice, for Auction No. 37, the Bureaus are considering requiring each winning bidder to submit the balance of the net amount of its winning bids within 10 business days after the deadline for submitting down payments.

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<sup>32</sup> See 47 C.F.R. § 73.202.

<sup>33</sup> See, e.g., *Charlotte Amalie, Frederiksted, and Christiansted, U.S. Virgin Islands*, 19 FCC Rcd 30 (MB 2004); *Cheyenne, Wyoming and Gering, Nebraska*, 15 FCC Rcd 7528 (MMB 2000); *Circleville, Ohio*, 9 F.C.C.2d 159 (1967).

<sup>34</sup> See, e.g., "Auction of Licenses in the Multichannel Video Distribution and Data Service rescheduled for January 14, 2004, Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Auction Procedures," *Public Notice*, 18 FCC Rcd 17553 (2003); "Auction of 900 MHz Specialized Mobile Radio Service Licenses Scheduled for February 11, 2004, Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Auction Procedures," *Public Notice*, 18 FCC Rcd 21176 (2003); "Auction of 24 GHz Service Licenses Scheduled for July 28, 2004, Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Auction Procedures," *Public Notice*, DA 04-633 (rel. March 12, 2004).

## VI. CONCLUSION

Comments are due on or before May 6, 2004, and reply comments are due on or before May 13, 2004. Because of the disruption of regular mail and other deliveries in Washington, DC, the Bureaus require that all comments and reply comments be filed electronically. Comments and reply comments must be sent by electronic mail to the following address: [auction37@fcc.gov](mailto:auction37@fcc.gov).<sup>35</sup> The electronic mail containing the comments or reply comments must include a subject or caption referring to Auction No. 37 Comments and the name of the commenting party. The Bureaus request that parties format any attachments to electronic mail as Adobe® Acrobat® (pdf) or Microsoft® Word documents. Copies of comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Information Center, Room CY-A257, 445 12th Street, SW, Washington, DC 20554.

**In addition, the Bureaus request that commenters fax a courtesy copy of their comments and reply comments to the attention of Kathryn Garland at (717) 338-2850.**

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>36</sup> Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required.<sup>37</sup> Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in Section 1.1206(b) of the Commission’s rules.<sup>38</sup>

For further information concerning this proceeding, contact:

**Auctions and Spectrum Access Division, WTB:**

For legal questions: Kenneth Burnley at (202) 418-0660

For general auction questions: Jeff Crooks at (202) 418-0660 or Linda Sanderson at (717) 338-2851

**Audio Division, MB:**

For legal and service rule questions: Lisa Scanlan or Tom Nessinger at (202) 418-2700

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<sup>35</sup> Comments and reply comments in response to this Public Notice may not be filed using the Commission’s Electronic Comment Filing System, which is used for the Commission’s docketed rule making proceedings.

<sup>36</sup> 47 C.F.R. §§ 1.1200(a), 1.1206.

<sup>37</sup> 47 C.F.R. § 1.1206(b).

<sup>38</sup> *Id.*

**Auction No. 37 - FM Broadcast  
DA 04-1020  
Attachment A**

Construction Permit	Market Name		Channel	Class	Coordinates								Bidding Units	Upfront Payment	Minimum Opening Bid
	State	City			Latitude				Longitude						
FM001	AK	BETHEL	252	C3	60	47	6	N	161	47	54	W	7,500	\$7,500	\$7,500
FM002	AK	DELTA JUNCTION	228	A	64	3	42	N	145	41	16	W	2,500	\$2,500	\$2,500
FM003	AK	KING SALMON	221	A	58	41	30	N	156	39	30	W	1,500	\$1,500	\$1,500
FM004	AK	KOTZEBUE	280	A	66	54	0	N	162	35	0	W	2,500	\$2,500	\$2,500
FM005	AK	STERLING	231	C2	60	32	18	N	150	45	30	W	25,000	\$25,000	\$25,000
FM006	AK	WASILLA	265	C2	61	38	5	N	149	22	14	W	125,000	\$125,000	\$125,000
FM008	AR	CALICO ROCK	246	A	36	5	1	N	92	9	26	W	15,000	\$15,000	\$15,000
FM009	AR	COTTON PLANT	257	A	34	55	32	N	91	9	32	W	15,000	\$15,000	\$15,000
FM010	AR	ELAINE	238	A	34	22	52	N	90	45	56	W	25,000	\$25,000	\$25,000
FM011	AR	JUDSONIA	237	A	35	17	6	N	91	37	45	W	50,000	\$50,000	\$50,000
FM012	AR	KENSETT	289	A	35	14	0	N	91	39	54	W	50,000	\$50,000	\$50,000
FM013	AR	ST. PAUL	287	A	35	48	14	N	93	37	0	W	5,000	\$5,000	\$5,000
FM014	AS	FAGAITUA	276	C2	14	16	19	S	170	34	43	W	35,000	\$35,000	\$35,000
FM015	AZ	FLAGSTAFF	279	C3	35	17	19	N	111	38	26	W	50,000	\$50,000	\$50,000
FM016	AZ	MOHAVE VALLEY	240	A	34	55	40	N	114	35	51	W	35,000	\$35,000	\$35,000
FM017	AZ	MUNDS PARK	291	A	34	56	44	N	111	38	22	W	35,000	\$35,000	\$35,000
FM018	AZ	PAYSON	257	A	34	13	54	N	111	20	12	W	15,000	\$15,000	\$15,000
FM020	AZ	SALOME	270	A	33	46	54	N	113	36	42	W	1,500	\$1,500	\$1,500
FM022	AZ	TEEC NOS POS	237	C1	36	54	36	N	109	6	0	W	70,000	\$70,000	\$70,000
FM023	AZ	WELLTON	240	A	32	40	18	N	114	8	18	W	10,000	\$10,000	\$10,000
FM024	AZ	YARNELL	258	A	34	13	18	N	112	44	48	W	5,000	\$5,000	\$5,000
FM026	CA	BLUE LAKE	292	A	40	52	54	N	123	59	12	W	90,000	\$90,000	\$90,000
FM027	CA	BOONVILLE	300	A	39	1	33	N	123	29	33	W	7,500	\$7,500	\$7,500
FM028	CA	CARMEL VALLEY	290	A	36	20	28	N	121	42	51	W	20,000	\$20,000	\$20,000
FM030	CA	COARSEGOLD	233	A	37	18	51	N	119	42	20	W	25,000	\$25,000	\$25,000
FM031	CA	HAMILTON CITY	269	A	39	49	52	N	122	2	31	W	125,000	\$125,000	\$125,000
FM034	CA	MARICOPA	235	A	35	5	1	N	119	26	0	W	20,000	\$20,000	\$20,000
FM035	CA	MCCLLOUD	238	C3	41	15	18	N	122	8	24	W	20,000	\$20,000	\$20,000
FM037	CA	MOJAVE	241	A	35	6	11	N	118	10	22	W	25,000	\$25,000	\$25,000
FM038	CA	SUSANVILLE	242	C3	40	26	55	N	120	44	20	W	25,000	\$25,000	\$25,000
FM039	CA	TAFT	293	A	35	8	18	N	119	27	30	W	20,000	\$20,000	\$20,000
FM040	CA	TECOPA	291	A	35	50	48	N	116	13	24	W	1,500	\$1,500	\$1,500
FM042	CO	BAYFIELD	223	A	37	7	29	N	107	34	10	W	10,000	\$10,000	\$10,000
FM044	CO	CARBONDALE	244	A	39	25	30	N	107	22	43	W	25,000	\$25,000	\$25,000
FM045	CO	CENTER	287	A	37	45	0	N	106	6	24	W	15,000	\$15,000	\$15,000
FM046	CO	DEL NORTE	242	A	37	40	36	N	106	21	12	W	10,000	\$10,000	\$10,000
FM047	CO	DINOSAUR	247	C1	40	14	42	N	109	0	30	W	35,000	\$35,000	\$35,000
FM048	CO	DOVE CREEK	273	C3	37	45	54	N	108	54	18	W	2,500	\$2,500	\$2,500
FM049	CO	ECKLEY	237	C1	40	6	48	N	102	29	18	W	35,000	\$35,000	\$35,000
FM050	CO	EL JEBEL	263	A	39	23	42	N	107	6	29	W	25,000	\$25,000	\$25,000
FM051	CO	IDALIA	231	A	39	42	6	N	102	17	30	W	1,500	\$1,500	\$1,500
FM052	CO	LA JARA	246	A	37	16	24	N	105	57	30	W	20,000	\$20,000	\$20,000

Construction Permit	Market Name		Channel	Class	Coordinates								Bidding Units	Upfront Payment	Minimum Opening Bid
	State	City			Latitude				Longitude						
FM053	CO	LA VETA	277	A	37	30	54	N	105	0	18	W	5,000	\$5,000	\$5,000
FM054	CO	LAS ANIMAS	297	A	38	3	54	N	103	13	24	W	5,000	\$5,000	\$5,000
FM055	CO	NEW CASTLE	233	A	39	34	12	N	107	31	54	W	20,000	\$20,000	\$20,000
FM056	CO	PALISADE	253	C3	39	6	30	N	108	21	6	W	90,000	\$90,000	\$90,000
FM057	CO	PONCHA SPRINGS	248	A	38	30	42	N	106	4	42	W	7,500	\$7,500	\$7,500
FM058	CO	RYE	285	A	37	55	18	N	104	55	48	W	2,500	\$2,500	\$2,500
FM059	CO	WALDEN	231	C2	40	41	54	N	106	29	48	W	15,000	\$15,000	\$15,000
FM060	CO	WALSENBURG	267	C3	37	37	27	N	104	46	47	W	10,000	\$10,000	\$10,000
FM061	CO	WESTCLIFFE	227	A	38	4	28	N	105	32	13	W	1,500	\$1,500	\$1,500
FM062	CO	YUMA	233	A	40	7	30	N	102	43	24	W	5,000	\$5,000	\$5,000
FM063	FL	CEDAR KEY	261	A	29	8	12	N	83	2	6	W	1,500	\$1,500	\$1,500
FM064	FL	EBRO	236	A	30	28	15	N	85	53	45	W	15,000	\$15,000	\$15,000
FM066	FL	INGLIS	257	A	29	7	49	N	82	41	19	W	25,000	\$25,000	\$25,000
FM068	FL	PERRY	228	A	30	7	0	N	83	34	26	W	15,000	\$15,000	\$15,000
FM069	FL	PERRY	299	C3	29	59	47	N	83	39	33	W	20,000	\$20,000	\$20,000
FM072	GU	TUMON	282	A	13	30	25	N	144	48	5	E	70,000	\$70,000	\$70,000
FM073	HI	CAPTAIN COOK	226	C1	19	29	49	N	155	55	18	W	70,000	\$70,000	\$70,000
FM074	HI	HAIKU	293	C	20	55	3	N	156	19	33	W	125,000	\$125,000	\$125,000
FM075	HI	HANAPEPE	232	C1	21	54	43	N	159	35	43	W	70,000	\$70,000	\$70,000
FM076	HI	HOLUALOA	221	C2	19	37	6	N	155	57	0	W	35,000	\$35,000	\$35,000
FM077	HI	HONOKAA	275	C2	20	4	54	N	155	28	0	W	25,000	\$25,000	\$25,000
FM078	HI	KAUNAKAKAI	272	C	21	5	30	N	157	1	24	W	200,000	\$200,000	\$200,000
FM079	HI	KIHEI	298	C2	20	47	0	N	156	27	48	W	125,000	\$125,000	\$125,000
FM080	HI	KURTISTOWN	271	A	19	35	36	N	155	3	36	W	70,000	\$70,000	\$70,000
FM081	HI	NANAKULI	295	A	21	23	30	N	158	8	30	W	200,000	\$200,000	\$200,000
FM082	HI	WAHIAWA	278	A	21	30	0	N	158	2	0	W	200,000	\$200,000	\$200,000
FM083	IA	ANAMOSA	239	A	42	5	40	N	91	21	18	W	125,000	\$125,000	\$125,000
FM087	IA	MANSON	259	A	42	31	48	N	94	32	0	W	25,000	\$25,000	\$25,000
FM089	IA	NEWELL	265	A	42	36	4	N	95	4	21	W	25,000	\$25,000	\$25,000
FM090	IA	PACIFIC JUNCTION	299	A	41	3	25	N	95	46	50	W	200,000	\$200,000	\$200,000
FM091	IA	PATTERSON	290	A	41	20	54	N	93	52	49	W	50,000	\$50,000	\$50,000
FM092	IA	PLEASANTVILLE	242	A	41	23	59	N	93	14	36	W	50,000	\$50,000	\$50,000
FM093	IA	ROCKFORD	225	A	43	1	55	N	92	57	53	W	50,000	\$50,000	\$50,000
FM095	IA	SAC CITY	284	A	42	30	37	N	94	52	14	W	20,000	\$20,000	\$20,000
FM096	IA	SIBLEY	282	A	43	24	14	N	95	45	45	W	25,000	\$25,000	\$25,000
FM097	ID	ABERDEEN	258	C2	43	0	27	N	112	41	54	W	2,500	\$2,500	\$2,500
FM098	ID	ASHTON	243	A	44	4	12	N	111	26	54	W	10,000	\$10,000	\$10,000
FM100	ID	HAZELTON	232	C3	42	35	54	N	114	7	54	W	90,000	\$90,000	\$90,000
FM101	ID	KOOTENAI	294	A	48	18	37	N	116	30	45	W	20,000	\$20,000	\$20,000
FM102	ID	SALMON	233	A	45	10	30	N	113	53	42	W	5,000	\$5,000	\$5,000
FM103	ID	ST. MARIES	221	A	47	18	54	N	116	34	30	W	10,000	\$10,000	\$10,000
FM104	ID	TROY	262	A	46	44	49	N	116	39	59	W	25,000	\$25,000	\$25,000
FM105	ID	TWIN FALLS	269	A	42	33	42	N	114	28	12	W	70,000	\$70,000	\$70,000
FM109	IL	COLCHESTER	244	A	40	21	48	N	90	55	41	W	35,000	\$35,000	\$35,000
FM111	IL	HEYWORTH	250	A	40	20	55	N	88	58	56	W	125,000	\$125,000	\$125,000
FM112	IL	NORMAL	264	A	40	27	38	N	89	6	6	W	125,000	\$125,000	\$125,000

Construction Permit	Market Name		Channel	Class	Coordinates								Bidding Units	Upfront Payment	Minimum Opening Bid
	State	City			Latitude				Longitude						
FM113	IL	ST. ANNE	293	A	40	56	20	N	87	39	10	W	70,000	\$70,000	\$70,000
FM114	IL	WATSEKA	240	A	40	48	0	N	87	47	15	W	25,000	\$25,000	\$25,000
FM118	KS	AUGUSTA	263	A	37	41	12	N	96	58	30	W	125,000	\$125,000	\$125,000
FM119	KS	BURDETT	228	A	38	11	30	N	99	31	30	W	2,500	\$2,500	\$2,500
FM120	KS	CIMARRON	222	A	37	48	41	N	100	23	9	W	5,000	\$5,000	\$5,000
FM122	KS	HAYS	289	C2	38	57	15	N	99	26	43	W	50,000	\$50,000	\$50,000
FM123	KS	HUTCHINSON	240	A	38	4	54	N	97	55	42	W	70,000	\$70,000	\$70,000
FM124	KS	KIOWA	252	C1	37	1	0	N	98	29	12	W	50,000	\$50,000	\$50,000
FM125	KS	LINDSBORG	269	C3	38	39	3	N	97	42	12	W	70,000	\$70,000	\$70,000
FM126	KS	NESS CITY	285	A	38	27	6	N	99	53	36	W	2,500	\$2,500	\$2,500
FM127	KS	ROZEL	273	A	38	11	42	N	99	24	24	W	7,500	\$7,500	\$7,500
FM128	KY	ANNVILLE	244	A	37	14	37	N	83	53	35	W	50,000	\$50,000	\$50,000
FM129	KY	BRODHEAD	270	A	37	22	29	N	84	26	41	W	50,000	\$50,000	\$50,000
FM130	KY	FREDONIA	221	A	37	15	22	N	88	1	49	W	35,000	\$35,000	\$35,000
FM131	KY	LA CENTER	282	A	37	4	22	N	88	52	25	W	70,000	\$70,000	\$70,000
FM132	KY	MOUNT VERNON	275	A	37	23	32	N	84	25	59	W	50,000	\$50,000	\$50,000
FM134	KY	STURGIS	267	A	37	32	54	N	87	59	6	W	35,000	\$35,000	\$35,000
FM139	LA	SIMMESPORT	287	A	30	53	30	N	91	47	0	W	25,000	\$25,000	\$25,000
FM140	LA	TALLULAH	248	A	32	25	7	N	91	12	15	W	15,000	\$15,000	\$15,000
FM141	MA	BREWSTER	232	A	41	46	31	N	70	0	38	W	90,000	\$90,000	\$90,000
FM144	MI	CARNEY	260	A	45	35	30	N	87	39	37	W	15,000	\$15,000	\$15,000
FM145	MI	CRYSTAL FALLS	235	A	46	9	5	N	88	22	1	W	15,000	\$15,000	\$15,000
FM146	MI	GWINN	262	C3	46	17	20	N	87	21	10	W	70,000	\$70,000	\$70,000
FM148	MI	MCMILLAN	244	C3	46	20	24	N	85	41	12	W	10,000	\$10,000	\$10,000
FM149	MI	POWERS	297	C3	45	41	12	N	87	31	30	W	50,000	\$50,000	\$50,000
FM150	MI	REPUBLIC	244	A	46	26	9	N	88	7	12	W	20,000	\$20,000	\$20,000
FM151	MI	WALHALLA	255	A	43	54	8	N	86	10	13	W	35,000	\$35,000	\$35,000
FM152	MN	LAKE CRYSTAL	239	A	44	9	27	N	94	22	32	W	50,000	\$50,000	\$50,000
FM153	MN	LANESBORO	280	A	43	44	0	N	92	7	0	W	25,000	\$25,000	\$25,000
FM154	MN	VERNON CENTER	231	A	44	1	15	N	94	15	0	W	70,000	\$70,000	\$70,000
FM155	MO	ARCADIA	280	A	37	32	30	N	90	43	0	W	15,000	\$15,000	\$15,000
FM156	MO	BUNKER	292	A	37	27	18	N	91	12	48	W	5,000	\$5,000	\$5,000
FM157	MO	GIDEON	280	A	36	32	10	N	89	49	18	W	35,000	\$35,000	\$35,000
FM158	MO	LINN	276	A	38	29	6	N	91	51	6	W	35,000	\$35,000	\$35,000
FM159	MS	FRIARS POINT	254	A	34	24	9	N	90	38	51	W	50,000	\$50,000	\$50,000
FM161	MS	NEW ALBANY	268	A	34	31	14	N	89	3	3	W	35,000	\$35,000	\$35,000
FM162	MS	NEW AUGUSTA	269	A	31	13	41	N	89	6	47	W	90,000	\$90,000	\$90,000
FM163	MS	REDWOOD	288	A	32	27	13	N	90	48	42	W	50,000	\$50,000	\$50,000
FM164	MS	SALTILLO	275	C3	34	23	56	N	88	34	6	W	125,000	\$125,000	\$125,000
FM165	MS	TYLERTOWN	297	A	31	5	27	N	90	5	47	W	35,000	\$35,000	\$35,000
FM166	MT	ALBERTON	288	C2	47	1	45	N	114	45	20	W	15,000	\$15,000	\$15,000
FM167	MT	BELT	269	A	47	23	12	N	110	55	18	W	25,000	\$25,000	\$25,000
FM168	MT	BIG SKY	242	A	45	16	2	N	111	22	14	W	1,500	\$1,500	\$1,500
FM170	MT	CHOTEAU	271	C1	47	33	40	N	112	18	43	W	25,000	\$25,000	\$25,000
FM171	MT	EUREKA	228	C3	48	52	54	N	115	2	54	W	5,000	\$5,000	\$5,000
FM172	MT	FAIRFIELD	279	C2	47	37	0	N	111	59	6	W	35,000	\$35,000	\$35,000

Construction Permit	Market Name		Channel	Class	Coordinates								Bidding Units	Upfront Payment	Minimum Opening Bid
	State	City			Latitude				Longitude						
FM173	MT	FLORENCE	278	A	46	37	42	N	114	4	48	W	50,000	\$50,000	\$50,000
FM174	MT	FORT BENTON	239	C3	47	44	1	N	110	47	41	W	10,000	\$10,000	\$10,000
FM175	MT	JOLIET	292	C3	45	29	6	N	108	58	18	W	25,000	\$25,000	\$25,000
FM176	MT	LOCKWOOD	294	A	45	49	9	N	108	24	51	W	125,000	\$125,000	\$125,000
FM177	MT	MANHATTAN	289	A	45	51	12	N	111	19	42	W	20,000	\$20,000	\$20,000
FM178	MT	MISSOULA	290	A	46	51	42	N	114	0	30	W	70,000	\$70,000	\$70,000
FM179	MT	OUTLOOK	289	C	48	53	18	N	104	46	42	W	25,000	\$25,000	\$25,000
FM180	MT	SAINT REGIS	256	C2	47	15	56	N	114	51	29	W	10,000	\$10,000	\$10,000
FM182	MT	STEVENSVILLE	283	A	46	30	24	N	114	5	18	W	15,000	\$15,000	\$15,000
FM183	MT	VALIER	289	C1	48	18	18	N	112	15	30	W	35,000	\$35,000	\$35,000
FM184	MT	WHITEFISH	286	A	48	24	42	N	114	20	18	W	50,000	\$50,000	\$50,000
FM185	MT	WHITEHALL	274	A	45	56	11	N	112	13	51	W	35,000	\$35,000	\$35,000
FM186	NC	BUXTON	260	A	35	16	6	N	75	31	54	W	2,500	\$2,500	\$2,500
FM187	NC	BUXTON	268	A	35	16	6	N	75	31	54	W	2,500	\$2,500	\$2,500
FM188	NC	ENFIELD	297	A	36	11	9	N	77	41	40	W	70,000	\$70,000	\$70,000
FM191	ND	BELFIELD	230	C1	46	53	6	N	103	11	48	W	50,000	\$50,000	\$50,000
FM193	ND	BURLINGTON	276	C1	48	16	42	N	101	25	36	W	90,000	\$90,000	\$90,000
FM194	ND	CANNON BALL	298	C	46	24	48	N	100	38	12	W	125,000	\$125,000	\$125,000
FM195	ND	FLASHER	290	C	46	27	12	N	101	14	6	W	125,000	\$125,000	\$125,000
FM196	ND	GACKLE	256	C	46	37	30	N	99	8	30	W	90,000	\$90,000	\$90,000
FM197	ND	HAZELTON	280	C	46	38	5	N	100	25	40	W	125,000	\$125,000	\$125,000
FM198	ND	MEDINA	222	C	46	53	36	N	99	17	54	W	70,000	\$70,000	\$70,000
FM199	ND	NEW ENGLAND	239	C	46	32	24	N	102	51	48	W	70,000	\$70,000	\$70,000
FM200	ND	RICHARDTON	270	C	46	50	25	N	102	21	35	W	90,000	\$90,000	\$90,000
FM201	ND	SARLES	290	C	48	56	36	N	98	59	48	W	50,000	\$50,000	\$50,000
FM202	ND	VELVA	235	C1	48	3	18	N	100	55	54	W	90,000	\$90,000	\$90,000
FM203	ND	WIMBLEDON	276	C1	47	10	18	N	98	27	30	W	70,000	\$70,000	\$70,000
FM204	NE	ALLEN	265	A	42	27	14	N	96	51	7	W	15,000	\$15,000	\$15,000
FM205	NE	CHADRON	234	C1	42	49	54	N	103	0	0	W	35,000	\$35,000	\$35,000
FM206	NE	HERSHEY	297	C1	41	9	30	N	101	0	0	W	70,000	\$70,000	\$70,000
FM207	NE	HUMBOLDT	244	A	40	9	0	N	95	55	43	W	10,000	\$10,000	\$10,000
FM208	NE	MINATARE	295	A	41	48	34	N	103	30	12	W	35,000	\$35,000	\$35,000
FM209	NE	MITCHELL	257	A	41	56	36	N	103	48	30	W	35,000	\$35,000	\$35,000
FM210	NE	OVERTON	257	C2	40	44	24	N	99	42	6	W	70,000	\$70,000	\$70,000
FM211	NE	PAXTON	228	C1	41	6	48	N	101	21	12	W	70,000	\$70,000	\$70,000
FM212	NE	RAVENNA	276	C2	41	1	36	N	98	54	48	W	125,000	\$125,000	\$125,000
FM213	NE	SARGENT	221	C1	41	38	30	N	99	22	18	W	35,000	\$35,000	\$35,000
FM214	NE	SUTHERLAND	264	C1	41	9	30	N	101	7	36	W	70,000	\$70,000	\$70,000
FM215	NH	GROVETON	229	A	44	33	55	N	71	37	48	W	20,000	\$20,000	\$20,000
FM216	NH	JEFFERSON	247	A	44	23	40	N	71	25	15	W	35,000	\$35,000	\$35,000
FM217	NH	WHITEFIELD	256	A	44	27	17	N	71	31	36	W	35,000	\$35,000	\$35,000
FM218	NM	DEXTER	241	C3	33	11	42	N	104	22	18	W	70,000	\$70,000	\$70,000
FM219	NM	LORDSBURG	279	C3	32	20	48	N	108	42	36	W	5,000	\$5,000	\$5,000
FM220	NM	MAGDALENA	240	C2	34	7	0	N	107	14	36	W	15,000	\$15,000	\$15,000
FM221	NM	QUESTA	279	C1	36	40	33	N	105	32	27	W	50,000	\$50,000	\$50,000
FM223	NM	SOCORRO	271	C2	34	3	42	N	106	53	48	W	15,000	\$15,000	\$15,000

Construction Permit	Market Name		Channel	Class	Coordinates								Bidding Units	Upfront Payment	Minimum Opening Bid
	State	City			Latitude				Longitude						
FM224	NM	TAOS	240	A	36	21	48	N	105	28	51	W	15,000	\$15,000	\$15,000
FM225	NM	TEXICO	243	A	34	23	30	N	103	2	48	W	50,000	\$50,000	\$50,000
FM226	NM	TULAROSA	274	C3	33	4	30	N	106	1	6	W	50,000	\$50,000	\$50,000
FM227	NV	CALIENTE	233	C1	37	36	54	N	114	30	48	W	5,000	\$5,000	\$5,000
FM228	NV	CAL-NEV-ARI	285	A	35	17	12	N	114	51	57	W	2,500	\$2,500	\$2,500
FM229	NV	ELKO	233	C3	40	49	48	N	115	45	36	W	25,000	\$25,000	\$25,000
FM230	NV	ELKO	248	C1	40	49	48	N	115	45	36	W	35,000	\$35,000	\$35,000
FM231	NV	HAWTHORNE	254	C1	38	31	29	N	118	37	25	W	5,000	\$5,000	\$5,000
FM232	NV	LOVELOCK	292	C1	40	10	48	N	118	28	24	W	5,000	\$5,000	\$5,000
FM233	NV	MESQUITE	244	C	36	51	15	N	114	3	30	W	90,000	\$90,000	\$90,000
FM234	NV	OVERTON	295	C1	36	53	17	N	114	34	27	W	10,000	\$10,000	\$10,000
FM235	NV	WELLS	280	C1	41	6	42	N	114	57	48	W	15,000	\$15,000	\$15,000
FM238	NY	DANNEMORA	250	A	44	43	12	N	73	43	36	W	70,000	\$70,000	\$70,000
FM239	NY	DELHI	248	A	42	15	23	N	74	58	35	W	50,000	\$50,000	\$50,000
FM241	NY	NARROWSBURG	275	A	41	38	0	N	74	59	46	W	50,000	\$50,000	\$50,000
FM242	NY	OLD FORGE	223	A	43	42	42	N	74	58	24	W	2,500	\$2,500	\$2,500
FM243	NY	SARANAC LAKE	296	A	44	19	48	N	74	8	0	W	20,000	\$20,000	\$20,000
FM244	NY	SPECULATOR	243	A	43	29	50	N	74	21	44	W	2,500	\$2,500	\$2,500
FM246	NY	WINDSOR	294	A	42	3	4	N	75	30	18	W	50,000	\$50,000	\$50,000
FM247	OK	ANTLERS	272	A	34	18	5	N	95	33	6	W	15,000	\$15,000	\$15,000
FM249	OK	ELDORADO	245	A	34	28	24	N	99	38	54	W	7,500	\$7,500	\$7,500
FM250	OK	GUYMON	258	C1	36	41	0	N	101	29	6	W	90,000	\$90,000	\$90,000
FM251	OK	HOLLIS	223	A	34	41	0	N	99	54	54	W	2,500	\$2,500	\$2,500
FM252	OK	SOPER	243	A	34	1	56	N	95	45	55	W	20,000	\$20,000	\$20,000
FM255	OR	BAY CITY	242	A	45	31	24	N	123	53	18	W	20,000	\$20,000	\$20,000
FM256	OR	CONDON	228	A	45	14	18	N	120	11	6	W	1,500	\$1,500	\$1,500
FM258	OR	ELGIN	290	A	45	33	54	N	117	55	0	W	7,500	\$7,500	\$7,500
FM259	OR	PRINEVILLE	255	C3	44	13	30	N	120	46	30	W	35,000	\$35,000	\$35,000
FM260	OR	RANIER	252	A	46	10	18	N	122	57	42	W	90,000	\$90,000	\$90,000
FM261	OR	STANFIELD	241	C3	45	40	40	N	119	23	1	W	35,000	\$35,000	\$35,000
FM262	PA	CLARENDON	274	A	41	41	30	N	79	3	43	W	35,000	\$35,000	\$35,000
FM265	SD	BOX ELDER	274	A	44	6	48	N	103	4	12	W	90,000	\$90,000	\$90,000
FM266	SD	IPSWICH	300	A	45	26	42	N	99	1	48	W	2,500	\$2,500	\$2,500
FM267	SD	LENNOX	256	C3	43	21	24	N	96	54	5	W	125,000	\$125,000	\$125,000
FM268	SD	MISSION	264	A	43	18	24	N	100	39	24	W	7,500	\$7,500	\$7,500
FM269	SD	MURDO	285	A	43	53	24	N	100	43	6	W	1,500	\$1,500	\$1,500
FM270	SD	NEWELL	279	C2	44	43	58	N	103	25	18	W	35,000	\$35,000	\$35,000
FM271	SD	PINE RIDGE	228	A	43	1	6	N	102	33	24	W	5,000	\$5,000	\$5,000
FM272	SD	PRESHO	262	A	43	54	24	N	100	3	36	W	1,500	\$1,500	\$1,500
FM273	SD	ROSCOE	287	A	45	27	0	N	99	20	12	W	2,500	\$2,500	\$2,500
FM274	TN	BYRDSTOWN	255	A	36	30	23	N	85	0	32	W	25,000	\$25,000	\$25,000
FM276	TX	ALBANY	255	A	32	43	36	N	99	17	42	W	2,500	\$2,500	\$2,500
FM277	TX	BRECKENRIDGE	261	A	32	44	34	N	98	54	32	W	10,000	\$10,000	\$10,000
FM278	TX	CARRIZO SPRINGS	228	A	28	31	12	N	99	54	52	W	20,000	\$20,000	\$20,000
FM279	TX	COAHOMA	288	A	32	17	36	N	101	18	18	W	35,000	\$35,000	\$35,000
FM280	TX	CORRIGAN	257	A	30	59	47	N	94	49	36	W	15,000	\$15,000	\$15,000

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	State	City			Latitude				Longitude						
FM282	TX	COTULLA	242	A	28	30	22	N	99	12	46	W	7,500	\$7,500	\$7,500
FM283	TX	EDEN	283	A	31	13	6	N	99	50	36	W	2,500	\$2,500	\$2,500
FM284	TX	ELDORADO	285	A	30	51	36	N	100	36	0	W	2,500	\$2,500	\$2,500
FM285	TX	GEORGE WEST	228	C3	28	15	46	N	98	12	24	W	15,000	\$15,000	\$15,000
FM286	TX	GOLDSMITH	234	A	31	54	26	N	102	42	14	W	20,000	\$20,000	\$20,000
FM287	TX	GROVETON	251	A	31	3	30	N	95	7	36	W	15,000	\$15,000	\$15,000
FM288	TX	INGRAM	243	A	30	4	30	N	99	14	6	W	35,000	\$35,000	\$35,000
FM290	TX	KERRVILLE	291	A	30	1	54	N	99	9	1	W	35,000	\$35,000	\$35,000
FM291	TX	KNOX CITY	297	A	33	25	3	N	99	40	16	W	5,000	\$5,000	\$5,000
FM292	TX	LEAKEY	226	A	29	43	42	N	99	45	48	W	2,500	\$2,500	\$2,500
FM293	TX	LOVELADY	282	C3	31	9	51	N	95	27	9	W	35,000	\$35,000	\$35,000
FM294	TX	LUFKIN	230	A	31	20	48	N	94	43	30	W	90,000	\$90,000	\$90,000
FM295	TX	MARFA	228	A	30	18	38	N	104	1	10	W	2,500	\$2,500	\$2,500
FM296	TX	MASON	259	A	30	45	0	N	99	14	0	W	2,500	\$2,500	\$2,500
FM297	TX	MERIDIAN	285	A	31	59	7	N	97	41	22	W	15,000	\$15,000	\$15,000
FM298	TX	OLNEY	282	C2	33	8	47	N	98	52	0	W	35,000	\$35,000	\$35,000
FM299	TX	REFUGIO	263	A	28	21	0	N	97	16	30	W	7,500	\$7,500	\$7,500
FM301	TX	RIO GRANDE CITY	236	A	26	25	47	N	98	49	25	W	35,000	\$35,000	\$35,000
FM302	TX	ROCKSPRINGS	295	C2	30	2	44	N	100	19	0	W	2,500	\$2,500	\$2,500
FM304	TX	SEYMOUR	254	A	33	29	57	N	99	15	6	W	5,000	\$5,000	\$5,000
FM305	TX	SEYMOUR	222	C2	33	34	49	N	99	18	1	W	15,000	\$15,000	\$15,000
FM308	TX	WELLINGTON	253	C3	34	49	13	N	100	14	29	W	10,000	\$10,000	\$10,000
FM309	TX	YORKTOWN	242	A	29	2	30	N	97	26	30	W	15,000	\$15,000	\$15,000
FM310	TX	ZAPATA	274	A	26	54	30	N	99	16	18	W	10,000	\$10,000	\$10,000
FM311	TX	ZAPATA	280	A	26	54	30	N	99	16	18	W	10,000	\$10,000	\$10,000
FM312	UT	CASTLE DALE	271	C3	39	12	48	N	111	1	18	W	10,000	\$10,000	\$10,000
FM313	UT	HUNTINGTON	296	C2	39	19	36	N	110	57	50	W	35,000	\$35,000	\$35,000
FM314	UT	HURRICANE	275	C3	37	10	30	N	113	17	24	W	50,000	\$50,000	\$50,000
FM316	UT	MONROE	257	C2	38	37	21	N	112	7	29	W	25,000	\$25,000	\$25,000
FM317	UT	MONTICELLO	291	C1	37	52	17	N	109	20	32	W	15,000	\$15,000	\$15,000
FM318	UT	PAROWAN	300	C2	37	50	30	N	112	49	30	W	25,000	\$25,000	\$25,000
FM320	UT	TORREY	253	A	38	18	0	N	111	25	12	W	1,500	\$1,500	\$1,500
FM321	UT	WELLINGTON	237	C3	39	32	33	N	110	44	5	W	25,000	\$25,000	\$25,000
FM322	VA	NASSAWADOX	290	A	37	33	43	N	75	44	24	W	20,000	\$20,000	\$20,000
FM324	VT	BARTON	262	A	44	44	54	N	72	10	36	W	35,000	\$35,000	\$35,000
FM325	VT	HARDWICK	290	A	44	30	18	N	72	22	24	W	35,000	\$35,000	\$35,000
FM326	WA	CHEHALIS	282	A	46	38	57	N	122	57	58	W	50,000	\$50,000	\$50,000
FM327	WA	MANSON	234	C3	47	53	18	N	120	9	18	W	20,000	\$20,000	\$20,000
FM328	WA	OCEAN SHORES	228	A	46	57	47	N	124	9	50	W	35,000	\$35,000	\$35,000
FM329	WA	ROYAL CITY	228	A	46	48	25	N	119	33	12	W	7,500	\$7,500	\$7,500
FM330	WA	WESTPORT	267	A	46	53	24	N	124	6	6	W	35,000	\$35,000	\$35,000
FM331	WA	WINTHROP	248	A	48	27	40	N	120	10	36	W	2,500	\$2,500	\$2,500
FM334	WI	SOLDIERS GROVE	290	A	43	28	16	N	90	40	21	W	25,000	\$25,000	\$25,000
FM335	WI	TWO RIVERS	246	A	44	9	6	N	87	34	6	W	70,000	\$70,000	\$70,000
FM338	WV	KENOVA	250	A	38	22	38	N	82	34	33	W	200,000	\$200,000	\$200,000
FM339	WV	RICHWOOD	288	A	38	13	42	N	80	31	48	W	25,000	\$25,000	\$25,000

Construction Permit	Market Name		Channel	Class	Coordinates								Bidding Units	Upfront Payment	Minimum Opening Bid
	State	City			Latitude				Longitude						
FM340	WV	RIDGELEY	263	A	39	42	8	N	78	43	49	W	90,000	\$90,000	\$90,000
FM342	WY	CHEYENNE	229	A	41	12	39	N	104	44	54	W	70,000	\$70,000	\$70,000
FM343	WY	CHEYENNE	280	C2	41	8	17	N	104	48	22	W	90,000	\$90,000	\$90,000
FM344	WY	CHUGWATER	258	A	41	45	36	N	104	49	30	W	1,500	\$1,500	\$1,500
FM345	WY	DOUGLAS	265	A	42	45	18	N	105	24	18	W	7,500	\$7,500	\$7,500
FM346	WY	DOUGLAS	223	C1	42	40	19	N	105	5	5	W	25,000	\$25,000	\$25,000
FM347	WY	EVANSTON	252	C2	41	16	0	N	110	57	48	W	20,000	\$20,000	\$20,000
FM348	WY	GREEN RIVER	259	C1	41	31	36	N	109	28	6	W	50,000	\$50,000	\$50,000
FM349	WY	GUERNSEY	281	A	42	16	0	N	104	44	42	W	2,500	\$2,500	\$2,500
FM351	WY	LOVELL	296	C	44	36	23	N	108	23	30	W	70,000	\$70,000	\$70,000
FM352	WY	MANVILLE	255	C1	42	46	45	N	104	37	2	W	20,000	\$20,000	\$20,000
FM353	WY	MARBLETON	239	A	42	33	27	N	110	5	58	W	1,500	\$1,500	\$1,500
FM354	WY	MILLS	288	A	42	50	24	N	106	22	6	W	50,000	\$50,000	\$50,000
FM355	WY	MOORCROFT	228	A	44	15	54	N	104	57	6	W	2,500	\$2,500	\$2,500
FM356	WY	ROCK RIVER	240	A	41	44	24	N	105	58	24	W	1,500	\$1,500	\$1,500
FM357	WY	SARATOGA	259	A	41	27	12	N	106	48	30	W	2,500	\$2,500	\$2,500
FM358	WY	SUPERIOR	293	C	41	46	12	N	108	58	12	W	70,000	\$70,000	\$70,000
FM359	WY	THAYNE	290	C1	42	46	27	N	111	22	2	W	35,000	\$35,000	\$35,000

<b>Auction Total</b>	<b>290 Construction Permits</b>	<b>10,973,500</b>	<b>\$10,973,500</b>	<b>\$10,973,500</b>
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