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FCC Sets Auction Schedule for 2020

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The FCC's 2020 auction calendar is already full with three significant auctions scheduled before the end of the year. These auctions will unlock prime spectrum for 5G and other advanced spectrum services and help connect millions of rural Americans with broadband.

Below are key application deadlines and brief summaries of the auction proceedings. Participants and investors must pay particular attention to the FCC's auction schedule because they are bound by the FCC's anti-collusion rule "quiet period," which prohibits certain communications between auction applicants and some outside parties.

3.55 to 3.65 GHz (Auction 105)

- Short-Form Application Filing Window Deadline is April 9 at 6:00 pm ET and "quiet period" begins
- Upfront payments due May 21 at 6:00 pm ET
- Bidding begins June 25

The FCC adopted final auction procedures for an auction of Priority Access Licenses in the Citizens Broadband Radio Service in the 3550-3650 MHz band (CBRS). Auction 105 is designed to further 5G wireless, Internet of Things and other advanced spectrum-based services.

Auction 105 will offer seven 10 MHz licenses in each county-based license area. A licensee may hold up to four 10 MHz licenses in any license area at any given time. Designated entity bidding credits will be available to certain eligible applicants.

Rural Digital Opportunity Fund Auction (Auction 904)

- Comments on the FCC's proposed auction procedures are due by March 27 and replies by April 10
- The FCC expects bidding to begin October 22

The FCC adopted a public notice initiating the pre-auction process for Phase I of the Rural Digital Opportunity Fund Auction. Auction 904 will award up to $16 billion over 10 years to service providers committing to offer voice and broadband services to fixed locations in eligible unserved high-cost areas.

Following the Connect America Fund Phase II auction completed in 2018, Auction 904 will be the FCC's second auction to award ongoing, high-cost universal service support through competitive bidding in a multiple-round, reverse auction. Auction 904's proposed pre-auction and bidding procedures are similar to those in CAF Phase II.

The FCC proposes and seeks comment on procedures, including: (1) how an applicant can become qualified to participate in the auction; (2) how bidders will submit bids; and (3) how bids will be processed to determine winners and assign support amounts. The FCC also seeks comment on how to aggregate eligible areas into larger geographic units for bidding and making auction information available to bidders and the public.

3.7 to 3.98 GHz (Auction 107)

- Comments on the FCC's proposed auction procedures are due by May 1 and replies by May 15
- The FCC expects bidding to begin December 8

The FCC adopted a public notice seeking comment on auction procedures designed to unleash critical mid-band spectrum to facilitate 5G wireless and other advanced spectrum-based services. In Auction 107, the FCC plans to auction 5,684 flexible-use licenses in the 3.7 to 3.98 GHz band, commonly known as the "C-Band."

The FCC will offer 280 MHz of spectrum licensed on an unpaired basis in 20 MHz blocks by partial economic area in the contiguous states and Washington, DC. The lower portion of the band is expected to become available for wireless use in major markets by the end of 2021, and the remainder of the auctioned spectrum will follow, probably by the end of 2023. A licensee may offer terrestrial fixed or mobile services. The FCC also seeks comment on establishing reasonable caps on the amount of bidding credits an eligible entity may be awarded. The FCC proposes to use an ascending clock auction format and hold a sealed bid assignment phase.

Next up – 2.5 GHz

In 2019, the FCC adopted an order remaking the 2.5 GHz band, previously allocated to the Educational Broadband Service. The order eliminated restrictions on what types of entities can hold licenses in the band and created an opportunity for rural Tribal Nations to obtain licenses for unassigned 2.5 GHz spectrum covering Tribal lands. The FCC will start the planning process to auction the 2.5 GHz spectrum that remains unlicensed after the allocation to Tribal Nations is completed. The new licenses will be offered on a county-by-county basis as overlay licenses that give the licensees the right to operate anywhere there is not an incumbent educational or Tribal licensee in place.

The Rural Tribal Priority Window opened on February 3 and will close August 3. The auction for remaining unlicensed areas is not currently scheduled, and the FCC has not released proposed auction procedures. We expect the auction will begin in 2021.

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