

ALERT

Applications Due March 30, 2022 for New Full Power Television Auction

February 16, 2022

On February 10, 2022, the Federal Communications Commission's Office of Economic Analytics and Media Bureau released a Public Notice detailing the procedures for the forthcoming auction of 27 new full power television construction permits, Auction 112. The application window for short form applications to participate in Auction 112 will run from 6:00 p.m. ET on March 17, 2022 through 6:00 p.m. ET on March 30, 2022, and the auction will begin on June 7, 2022.

Auction 112 will offer 27 construction permits for full power television stations pursuant to allotments recently added to the Table of Television Allotments. A list of the 27 construction permits available for auction can be found at [this link](#).

Those wishing to participate in Auction 112 must submit a short form application on FCC Form 175 no later than 6:00 pm ET on March 30, 2022. Applicants must provide detailed ownership information on Form 175, so we encourage persons or entities interested in submitting an application to begin compiling this information well before the deadline.

Each person or entity submitting a short form application will be subject to the FCC's rule prohibiting certain communications relating to bids or bidding strategies, commonly known as the "anti-collusion rule." Under this rule, after the deadline for filing a short form application, all applicants are prohibited from "cooperating or collaborating with respect to, communicating with or disclosing, to each other in any manner the substance of their own, or each other's, or any other applicant's bids or bidding strategies (including post-auction market structure), or discussing or negotiating settlement agreements." The prohibited communications rule remains in effect

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through the duration of the auction (whether or not an applicant remains a bidder) and continues until after the down payment deadline.

To become a qualified bidder, an applicant must also submit an upfront payment by 6:00 p.m. ET on May 6, 2022. Upfront payment amounts vary from \$150,000 to \$750,000 per license and are equal to the minimum opening bid for those licenses. With the upfront payment, an applicant purchases enough eligibility to bid on that license. An applicant that wants to bid on all 27 licenses concurrently would need to submit an upfront payment equal to the total for all permits (\$5.55 million).

The auction itself will be a simultaneous multiple round auction, where every construction permit will be available for bid at the same time. Bids will be accepted on all construction permits in each round of the auction until bidding stops on every construction permit.

If you are interested in bidding in Auction 112 or if you would like more information, please contact the Wiley attorney who regularly handles your FCC matters or one of the attorneys listed on this alert.