

reporting requirements contained in the rulepart are sporadic or initiated by the carriers. Part 32 has been revised. For example, in the Report and Order in CC Docket 95-60, the Commission raised the expense limit in Section 32.2000(a)(4) from \$500 to \$200, with one exception related to personal computers recorded in Account 2121, General purpose computers. This will reduce the Continuing Property Records required to be maintained by the carriers. By eliminating the requirement for detailed property records for certain items costing less than the new \$2,000 threshold amount, the Commission has provided the carriers with substantial relief from the administrative cost previously proposed. Also, in the Report and Order, the Commission adopted a five-year amortization period during which incumbent local exchange carriers (ILECs) may recover the undepreciated portion of embedded assets affected by this rule change. The parties comments and replies were carefully considered in the formulation of the final rule.

Federal Communications Commission.

**Shirley S. Suggs,**

*Chief, Publications Branch.*

[FR Doc. 97-28089 Filed 10-22-97; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[DA 97-2147]

### 800 MHz Specialized Mobile Radio Service; Minimum Opening Bid Requirements for Auction of 525 Licenses in Upper 10 MHz Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** By this Order, the Commission establishes minimum opening bid requirements for the auction of 525 licenses in the upper 10 MHz of the 800 MHz Specialized Mobile Radio Service ("SMR") set to begin October 28, 1997. This Order effectuates directives of the Balanced Budget Act of 1997. Accordingly, the Commission adopts minimum opening bids subject to reduction; sets minimum opening bids equal to the established upfront payments; and declines to adopt caps on minimum opening bids.

**EFFECTIVE DATE:** October 23, 1997.

**FOR FURTHER INFORMATION CONTACT:** D. Anthony Mastando or Alice Elder at 202-418-0660.

**SUPPLEMENTARY INFORMATION:** This is a summary of an Order adopted October

6, 1997, and released October 6, 1997. The text of the Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C. and also may be purchased from the Commission's copy contractor, International Transcription Services, Inc. (ITS, Inc.) 1231 20th Street, N.W., Washington, DC 20036, (202) 857-3800.

### Synopsis of the Order

#### Background

1. The recently enacted Balanced Budget Act of 1997 directs the Commission to prescribe methods by which to establish reasonable reserve prices or minimum opening bids for licenses subject to auction, unless the Commission determines that such reserve prices or minimum opening bids are not in the public interest. The Commission recently announced the auction of 525 licenses in the upper 10 MHz of the 800 MHz SMR set to begin October 28, 1997. On September 5, 1997, the Commission sought comment by Public Notice regarding the establishment of reserve prices or minimum opening bids, 62 FR 49241 (September 19, 1997). The Commission received six sets of comments.

2. In the September 5th Public Notice, the Commission proposed that the licenses in the 800 MHz auction not be sold for less than the amount of the upfront payment specified for the licenses in the Public Notice released August 6, 1997, 62 FR 49228 (September 19, 1997). The Commission requested comment on whether the amount of the upfront payments should be considered reserve prices or minimum opening bids for this auction. Commenters were asked to address whether reserve prices or minimum opening bids should be capped to ensure that bidding is not deterred on high valuation markets. Assuming reserve prices were implemented, commenters were also asked to address whether these prices should be published.

3. On September 12, 1997, the Personal Communication Industry Association ("PCIA"), Nextel, the American Mobile Telecommunications Association ("AMTA") Tel/Logic, Pass Word, Inc. ("Pass Word") and Motorola submitted comments in response to the Public Notice. All commenting parties specifically opposed the establishment of reserve prices and more generally opposed minimum opening bids.

4. Commenters assert that minimum opening bids and reserve prices are inconsistent with the notion that market forces should determine the value of

auctioned spectrum and are therefore contrary to the public interest. They believe that bidders—not the Commission—are in the best position to assess the value of the spectrum. Nextel posits that the spectrum's value should be determined by bidders' evaluations of each license on the basis of incumbency, not by what the Commission sees as the overall market for 800 MHz SMR spectrum.

5. AMTA contends that overvalued spectrum and, concomitantly, high reserve prices will preclude small businesses from participation in the auction. Pass Word cautions that reserve prices either will reduce small business participation or result in unsound economic decisions leading to a scenario similar to the one facing the Commission and the defaulting C-Block PCS winners. Nextel believes that a reserve price is justified where spectrum is plentiful and the price is therefore depressed, but that this is not true of the heavily encumbered 800 MHz spectrum. The variation in incumbent systems, according to Motorola, makes impossible the development of an arbitrary price floor with sufficient flexibility. Tel/Logic notes that neither the Commission nor bidders should be able to project demand or prices.

6. PCIA considers minimum bids to be "inappropriate" because incumbent licensees will be forced to pay substantial fees for spectrum on which they already have operating systems and for which there may be no competing bidders. Pass Word also believes that minimum opening bids are inappropriate and that the spectrum will be fairly valued by the bidders because, unlike the Wireless Communications Service auction, spectrum, technology and equipment usage is well-defined for 800 MHz SMR systems and potential bidders have received adequate notice of this auction.

7. Were the Commission to establish minimum opening bids, AMTA maintains that the Commission should reserve the right to lower them in the event it has overestimated the licenses' value. Tel/Logic adds that minimum opening bids should not be linked to upfront payment levels because the two are based on different policy objectives and, therefore, should be determined separately in order to maintain Commission policy and auction administration flexibility. It contends that the upfront payment amount is set in order to encourage the participation of smaller entities and to discourage frivolous bidders, whereas a minimum opening bid should be established in order to avoid selling licenses below value. Pass Word urges the Commission

to find that setting an opening bid equal to the upfront payment is not in the public interest. Nextel supports the use of a cap on minimum opening bids and contends that a cap of \$50,000 would be appropriate because a higher cap would deter broad participation in the auction.

8. Pass Word claims that a fair auction, one without minimum opening bids or reserve prices, may be the last chance for small businesses in this market to survive, particularly in the face of Nextel's accumulation of frequencies.

#### Discussion

9. The Commission establishes minimum opening bids that are subject to reduction, and sets the initial amounts at the upfront payment levels specified in our Public Notice released August 6, 1997. The Commission notes that Congress has rejected the notion that minimum opening bids or reserve prices are inherently contrary to the public interest, as some commenters suggest. Moreover, the Commission rejects commenters' assertions that minimum opening bids disserve the public interest in this instance. The Commission agrees, however, that the market ultimately should determine the value of this spectrum. Indeed, due to the high level of incumbency of the 800 MHz spectrum, market valuation models are complex and may be subject to a higher degree of uncertainty than those for less encumbered spectrum. Therefore, the Commission adopts reducible minimum opening bids initially set equal to the amounts of the upfront payments for this auction.

10. The statutory mandate that the Commission prescribe methods by which to establish a reserve price or a minimum opening bid, absent a finding that they are not in the public interest, creates a presumption that reserve prices or minimum bids are required. The Commission does not find circumstances here that convinces it that establishing minimum open bids for this auction is contrary to the public interest objectives embodied in Section 309(j) of the Communications Act of 1934, as amended. These objectives include: fostering the rapid development and deployment of new technologies, products, and services; promoting competition by avoiding excessive concentration and disseminating licenses among a wide variety of applicants; recovering for the public a portion of the value of the spectrum resource and avoidance of unjust enrichment; fostering efficient use of the electromagnetic spectrum; and scheduling auctions so that potential bidders have adequate time to

develop business plans and assess the market. The Commission believes the reserve price and minimum opening bid provision is intended to prevent licenses from being assigned via auction at nominal amounts. Such low prices might result, for example, from insufficient competition in the auction, which in turn might be due to the inability of potential bidders to assess the market adequately or develop business plans. Thus, the provision permits the Commission to withhold those licenses so that they may be offered again in the future to be acquired by licensees under circumstances that will more effectively benefit the public.

11. The Commission concludes that setting initial minimum opening bids equal to the amount of upfront payments will best further the objectives of its auction authority here. Because the reserve price and minimum opening bid provision is not a requirement to *maximize* the revenue earned in future auctions, but rather a protection against assigning licenses at unacceptably low prices and in noncompetitive markets, the Commission must balance this revenue raising objective against its other public interest objectives when selecting the exact level of the minimum bids. No formula exists to accomplish this balancing, and the Commission must inevitably rely on qualitative judgment.

12. In arriving at its decision here to set minimum opening bids equal to the amounts of upfront payments established for this auction, the Commission finds that establishing minimum opening bids in excess of these amounts may threaten the goals of wide and robust bidder participation. Further, as long as the amounts are not so high as to deter bidders from participation, the particular initial values are not critical because the Commission has chosen to construe them as minimum opening bids, which may be reduced at its discretion. Conversely, setting the initial minimum opening bid below the upfront payments may threaten the Commission's revenue protection obligation, to recover for the public a portion of the value of the public spectrum resource, without materially enhancing its other auction objectives. The Commission notes that its minimum opening bids effectively function as reserve prices unless or until it decides to lower them in any particular instance to spur bidding. In this regard, the Commission's approach is consistent with its treatment of minimum accepted bids where the Commission reduces prices in cases

where there is a withdrawal and no subsequent bidding on a market.

13. Minimum opening bids that are subject to reduction will enable the Commission to react to market conditions as bidding unfolds. Thus, reducible minimum opening bids will allay concerns about artificially inflated spectrum values and their effect on bidders, small or otherwise. In addition, as a procedural mechanism, minimum opening bids facilitate the expeditious conduct of an auction by starting the bidding at an amount compatible with the objectives discussed in paragraph 11, above. Consequently, the Commission determines that establishing minimum opening bids initially set equal to the amounts of the upfront payments to be in the public interest.

14. The Commission rejects placing a cap on the amount of minimum opening bids. The absence of caps should not, as some commenters caution, significantly decrease bidder participation because minimum opening bids can be lowered if necessary. Further, any cap levels would be arbitrary and constitute an unfair benefit to those bidding for licenses serving densely populated areas, which may be viewed as more valuable.

15. Finally, the Commission finds that retaining authority to lower minimum opening bids, as suggested by commenters, serves the public interest and thus renders the imposition of reserve prices unnecessary for this auction. Reducible minimum opening bids better enable us to meet our revenue objectives while minimizing the possibility of retaining unsold licenses. Under a reserve price scenario the Commission would lack the flexibility to reduce acceptable bids if it were to have seriously misjudged market conditions by overestimating the value of these licenses.

16. *Regulatory Flexibility Act Certification.* As discussed above, in this Order the Commission sets the minimum opening bids for the auction of licenses in the upper 10 MHz band of the 800 MHz SMR service, subject to reduction but initially equal to the amount of the up-front payments. As such, there is no change in the economic status quo for bidders in this auction. Therefore, the Commission believes that this action will not have a significant economic impact on a substantial number of small entities, and consequently no further regulatory flexibility analysis is required, 5 U.S.C. § 605(b). The Commission will send a copy of this certification, along with the Order, in a report to Congress pursuant to the Small Business Regulatory

Enforcement Fairness Act of 1996, 5 U.S.C. § 801(a)(1)(A), and to the Chief Counsel for Advocacy of the Small Business Administration, 5 U.S.C. § 605(b).

17. *Effective Date.* As noted in this Order, the minimum opening bids adopted herein effectuate the recently-enacted Balanced Budget Act of 1997. In addition, the 800 MHz SMR auction is scheduled to begin very shortly, on October 28, 1997. The Commission therefore finds, for good cause, that the

minimum opening bids adopted herein should be made effective upon publication in the **Federal Register**, 5 U.S.C. § 553(d)(3).

18. Accordingly, *It Is Ordered* that, under the authority contained in Sections 0.131(c), 0.331 and 1.2104 of the Commission's Rules, 47 CFR §§ 0.131(c), 0.331, and 1.2104, and pursuant to the authority of Sections 4(i), 303(r), 309(j), and 332(a)(2) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r),

and 332(a), minimum opening bids subject to reduction are established for this auction as specified in this Order.

19. *It Is Further Ordered* that the amount of the minimum opening bid for each auctionable license is set equal to the amount of the respective upfront payment for each license specified in this Order.

Federal Communications Commission.

**Daniel Phythyon,**

*Chief, Wireless Telecommunications Bureau.*

**Note:** This attachment will not be published in the Code of Federal Regulations

**Attachment**

*800 MHz Minimum Opening Bids*

EA	Block	Name	Minimum opening bid
E001	A	Bangor, ME	\$2,666
E001	B	Bangor, ME	7,998
E001	C	Bangor, ME	15,995
E002	A	Portland, ME	3,474
E002	B	Portland, ME	10,422
E002	C	Portland, ME	20,844
E003	A	Boston-Worcester-Lawrence-Lowell-Brockton, MA-NH-RI-VT	37,226
E003	B	Boston-Worcester-Lawrence-Lowell-Brockton, MA-NH-RI-VT	111,676
E003	C	Boston-Worcester-Lawrence-Lowell-Brockton, MA-NH-RI-VT	223,351
E004	A	Burlington, VT-NY	2,842
E004	B	Burlington, VT-NY	8,526
E004	C	Burlington, VT-NY	17,052
E005	A	Albany-Schenectady-Troy, NY	5,736
E005	B	Albany-Schenectady-Troy, NY	17,208
E005	C	Albany-Schenectady-Troy, NY	34,415
E006	A	Syracuse, NY-PA	9,674
E006	B	Syracuse, NY-PA	29,020
E006	C	Syracuse, NY-PA	58,039
E007	A	Rochester, NY-PA	7,290
E007	B	Rochester, NY-PA	21,868
E007	C	Rochester, NY-PA	43,736
E008	A	Buffalo-Niagara Falls, NY-PA	7,649
E008	B	Buffalo-Niagara Falls, NY-PA	22,947
E008	C	Buffalo-Niagara Falls, NY-PA	45,893
E009	A	State College, PA	3,995
E009	B	State College, PA	11,983
E009	C	State College, PA	23,965
E010	A	New York-No. New Jer.-Long Island, NY-NJ-CT-PA-MA-VT	119,596
E010	B	New York-No. New Jer.-Long Island, NY-NJ-CT-PA-MA-VT	358,786
E010	C	New York-No. New Jer.-Long Island, NY-NJ-CT-PA-MA-VT	717,571
E011	A	Harrisburg-Lebanon-Carlisle, PA	5,133
E011	B	Harrisburg-Lebanon-Carlisle, PA	15,397
E011	C	Harrisburg-Lebanon-Carlisle, PA	30,794
E012	A	Philadelphia-Wilmington-Atl. City, PA-NJ-DE-MD	34,580
E012	B	Philadelphia-Wilmington-Atl. City, PA-NJ-DE-MD	103,738
E012	C	Philadelphia-Wilmington-Atl. City, PA-NJ-DE-MD	207,476
E013	A	Washington-Baltimore, DC-MD-VA-WV-PA	37,274
E013	B	Washington-Baltimore, DC-MD-VA-WV-PA	111,820
E013	C	Washington-Baltimore, DC-MD-VA-WV-PA	223,639
E014	A	Salisbury, MD-DE-VA	2,500
E014	B	Salisbury, MD-DE-VA	4,362
E014	C	Salisbury, MD-DE-VA	8,724
E015	A	Richmond-Petersburg, VA	6,239
E015	B	Richmond-Petersburg, VA	18,715
E015	C	Richmond-Petersburg, VA	37,429
E016	A	Staunton, VA-WV	2,500
E016	B	Staunton, VA-WV	4,525
E016	C	Staunton, VA-WV	9,049
E017	A	Roanoke, VA-NC-WV	3,802
E017	B	Roanoke, VA-NC-WV	11,406
E017	C	Roanoke, VA-NC-WV	22,812
E018	A	Greensboro-Winston-Salem-High Point, NC-VA	8,022

EA	Block	Name	Minimum opening bid
E018	B	Greensboro-Winston-Salem-High Point, NC-VA	24,065
E018	C	Greensboro-Winston-Salem-High Point, NC-VA	48,130
E019	A	Raleigh-Durham-Chapel Hill, NC	7,062
E019	B	Raleigh-Durham-Chapel Hill, NC	21,185
E019	C	Raleigh-Durham-Chapel Hill, NC	42,370
E020	A	Norfolk-Virginia Beach-Newport News, VA-NC	7,941
E020	B	Norfolk-Virginia Beach-Newport News, VA-NC	23,823
E020	C	Norfolk-Virginia Beach-Newport News, VA-NC	47,646
E021	A	Greenville, NC	3,718
E021	B	Greenville, NC	11,152
E021	C	Greenville, NC	22,303
E022	A	Fayetteville, NC	2,500
E022	B	Fayetteville, NC	6,976
E022	C	Fayetteville, NC	13,951
E023	A	Charlotte-Gastonia-Rock Hill, NC-SC	8,133
E023	B	Charlotte-Gastonia-Rock Hill, NC-SC	24,398
E023	C	Charlotte-Gastonia-Rock Hill, NC-SC	48,796
E024	A	Columbia, SC	4,080
E024	B	Columbia, SC	12,238
E024	C	Columbia, SC	24,476
E025	A	Wilmington, NC-SC	3,581
E025	B	Wilmington, NC-SC	10,742
E025	C	Wilmington, NC-SC	21,483
E026	A	Charleston-North Charleston, SC	2,707
E026	B	Charleston-North Charleston, SC	8,119
E026	C	Charleston-North Charleston, SC	16,238
E027	A	Augusta-Aiken, GA-SC	2,685
E027	B	Augusta-Aiken, GA-SC	8,053
E027	C	Augusta-Aiken, GA-SC	16,105
E028	A	Savannah, GA-SC	2,754
E028	B	Savannah, GA-SC	8,260
E028	C	Savannah, GA-SC	16,519
E029	A	Jacksonville, FL-GA	7,790
E029	B	Jacksonville, FL-GA	23,369
E029	C	Jacksonville, FL-GA	46,738
E030	A	Orlando, FL	14,183
E030	B	Orlando, FL	42,548
E030	C	Orlando, FL	85,095
E031	A	Miami-Fort Lauderdale, FL	22,692
E031	B	Miami-Fort Lauderdale, FL	68,076
E031	C	Miami-Fort Lauderdale, FL	136,152
E032	A	Fort Myers-Cape Coral, FL	2,500
E032	B	Fort Myers-Cape Coral, FL	7,309
E032	C	Fort Myers-Cape Coral, FL	14,617
E033	A	Sarasota-Bradenton, FL	3,122
E033	B	Sarasota-Bradenton, FL	9,365
E033	C	Sarasota-Bradenton, FL	18,730
E034	A	Tampa-St. Petersburg-Clearwater, FL	10,340
E034	B	Tampa-St. Petersburg-Clearwater, FL	31,020
E034	C	Tampa-St. Petersburg-Clearwater, FL	62,039
E035	A	Tallahassee, FL-GA	3,051
E035	B	Tallahassee, FL-GA	9,152
E035	C	Tallahassee, FL-GA	18,304
E036	A	Dothan, AL-FL-GA	2,500
E036	B	Dothan, AL-FL-GA	4,606
E036	C	Dothan, AL-FL-GA	9,211
E037	A	Albany, GA	2,500
E037	B	Albany, GA	6,231
E037	C	Albany, GA	12,461
E038	A	Macon, GA	3,432
E038	B	Macon, GA	10,296
E038	C	Macon, GA	20,591
E039	A	Columbus, GA-AL	2,500
E039	B	Columbus, GA-AL	6,744
E039	C	Columbus, GA-AL	13,488
E040	A	Atlanta, GA-AL-NC	20,339
E040	B	Atlanta, GA-AL-NC	61,016
E040	C	Atlanta, GA-AL-NC	122,032
E041	A	Greenville-Spartanburg-Anderson, SC-NC	5,416
E041	B	Greenville-Spartanburg-Anderson, SC-NC	16,248
E041	C	Greenville-Spartanburg-Anderson, SC-NC	32,496
E042	A	Asheville, NC	2,500
E042	B	Asheville, NC	5,575

EA	Block	Name	Minimum opening bid
E042	C	Asheville, NC	11,150
E043	A	Chattanooga, TN-GA	3,178
E043	B	Chattanooga, TN-GA	9,534
E043	C	Chattanooga, TN-GA	19,067
E044	A	Knoxville, TN	4,202
E044	B	Knoxville, TN	12,606
E044	C	Knoxville, TN	25,212
E045	A	Johnson City-Kingsport-Bristol, TN-VA	2,622
E045	B	Johnson City-Kingsport-Bristol, TN-VA	7,865
E045	C	Johnson City-Kingsport-Bristol, TN-VA	15,729
E046	A	Hickory-Morganton, NC-TN	2,500
E046	B	Hickory-Morganton, NC-TN	6,687
E046	C	Hickory-Morganton, NC-TN	13,373
E047	A	Lexington, KY-TN-VA-WV	8,657
E047	B	Lexington, KY-TN-VA-WV	25,970
E047	C	Lexington, KY-TN-VA-WV	51,940
E048	A	Charleston, WV-KY-OH	5,981
E048	B	Charleston, WV-KY-OH	17,941
E048	C	Charleston, WV-KY-OH	35,882
E049	A	Cincinnati-Hamilton, OH-KY-IN	10,018
E049	B	Cincinnati-Hamilton, OH-KY-IN	30,053
E049	C	Cincinnati-Hamilton, OH-KY-IN	60,105
E050	A	Dayton-Springfield, OH	5,630
E050	B	Dayton-Springfield, OH	16,890
E050	C	Dayton-Springfield, OH	33,779
E051	A	Columbus, OH	10,504
E051	B	Columbus, OH	31,510
E051	C	Columbus, OH	63,019
E052	A	Wheeling, WV-OH	2,500
E052	B	Wheeling, WV-OH	5,196
E052	C	Wheeling, WV-OH	10,392
E053	A	Pittsburgh, PA-WV	15,016
E053	B	Pittsburgh, PA-WV	45,048
E053	C	Pittsburgh, PA-WV	90,096
E054	A	Erie, PA	2,564
E054	B	Erie, PA	7,691
E054	C	Erie, PA	15,381
E055	A	Cleveland-Akron, OH-PA	22,824
E055	B	Cleveland-Akron, OH-PA	68,470
E055	C	Cleveland-Akron, OH-PA	136,940
E056	A	Toledo, OH	6,394
E056	B	Toledo, OH	19,181
E056	C	Toledo, OH	38,362
E057	A	Detroit-Ann Arbor-Flint, MI	33,135
E057	B	Detroit-Ann Arbor-Flint, MI	99,404
E057	C	Detroit-Ann Arbor-Flint, MI	198,808
E058	A	Northern Michigan, MI	2,500
E058	B	Northern Michigan, MI	3,451
E058	C	Northern Michigan, MI	6,902
E059	A	Green Bay, WI-MI	3,123
E059	B	Green Bay, WI-MI	9,369
E059	C	Green Bay, WI-MI	18,738
E060	A	Appleton-Oshkosh-Neenah, WI	2,500
E060	B	Appleton-Oshkosh-Neenah, WI	5,710
E060	C	Appleton-Oshkosh-Neenah, WI	11,419
E061	A	Traverse City, MI	2,500
E061	B	Traverse City, MI	3,581
E061	C	Traverse City, MI	7,162
E062	A	Grand Rapids-Muskegon-Holland, MI	8,335
E062	B	Grand Rapids-Muskegon-Holland, MI	25,005
E062	C	Grand Rapids-Muskegon-Holland, MI	50,009
E063	A	Milwaukee-Racine, WI	10,598
E063	B	Milwaukee-Racine, WI	31,794
E063	C	Milwaukee-Racine, WI	63,587
E064	A	Chicago-Gary-Kenosha, IL-IN-WI	46,590
E064	B	Chicago-Gary-Kenosha, IL-IN-WI	139,770
E064	C	Chicago-Gary-Kenosha, IL-IN-WI	279,539
E065	A	Elkhart-Goshen, IN-MI	4,322
E065	B	Elkhart-Goshen, IN-MI	12,964
E065	C	Elkhart-Goshen, IN-MI	25,927
E066	A	Fort Wayne, IN	3,333
E066	B	Fort Wayne, IN	9,997
E066	C	Fort Wayne, IN	19,993

EA	Block	Name	Minimum opening bid
E067	A	Indianapolis, IN-IL	13,766
E067	B	Indianapolis, IN-IL	41,298
E067	C	Indianapolis, IN-IL	82,596
E068	A	Champaign-Urbana, IL	3,118
E068	B	Champaign-Urbana, IL	9,354
E068	C	Champaign-Urbana, IL	18,707
E069	A	Evansville-Henderson, IN-KY-IL	4,129
E069	B	Evansville-Henderson, IN-KY-IL	12,385
E069	C	Evansville-Henderson, IN-KY-IL	24,770
E070	A	Louisville, KY-IN	6,456
E070	B	Louisville, KY-IN	19,368
E070	C	Louisville, KY-IN	38,736
E071	A	Nashville, TN-KY	10,012
E071	B	Nashville, TN-KY	30,035
E071	C	Nashville, TN-KY	60,069
E072	A	Paducah, KY-IL	2,500
E072	B	Paducah, KY-IL	3,168
E072	C	Paducah, KY-IL	6,336
E073	A	Memphis, TN-AR-MS-KY	8,440
E073	B	Memphis, TN-AR-MS-KY	25,318
E073	C	Memphis, TN-AR-MS-KY	50,635
E074	A	Huntsville, AL-TN	4,426
E074	B	Huntsville, AL-TN	13,276
E074	C	Huntsville, AL-TN	26,551
E075	A	Tupelo, MS-AL-TN	2,887
E075	B	Tupelo, MS-AL-TN	8,659
E075	C	Tupelo, MS-AL-TN	17,318
E076	A	Greenville, MS	2,500
E076	B	Greenville, MS	3,859
E076	C	Greenville, MS	7,718
E077	A	Jackson, MS-AL-LA	6,644
E077	B	Jackson, MS-AL-LA	19,930
E077	C	Jackson, MS-AL-LA	39,860
E078	A	Birmingham, AL	7,253
E078	B	Birmingham, AL	21,757
E078	C	Birmingham, AL	43,514
E079	A	Montgomery, AL	2,500
E079	B	Montgomery, AL	6,604
E079	C	Montgomery, AL	13,207
E080	A	Mobile, AL	3,040
E080	B	Mobile, AL	9,120
E080	C	Mobile, AL	18,239
E081	A	Pensacola, FL	2,580
E081	B	Pensacola, FL	7,740
E081	C	Pensacola, FL	15,479
E082	A	Biloxi-Gulfport-Pascagoula, MS	2,500
E082	B	Biloxi-Gulfport-Pascagoula, MS	5,097
E082	C	Biloxi-Gulfport-Pascagoula, MS	10,194
E083	A	New Orleans, LA-MS	8,179
E083	B	New Orleans, LA-MS	24,536
E083	C	New Orleans, LA-MS	49,072
E084	A	Baton Rouge, LA-MS	3,282
E084	B	Baton Rouge, LA-MS	9,845
E084	C	Baton Rouge, LA-MS	19,689
E085	A	Lafayette, LA	2,774
E085	B	Lafayette, LA	8,320
E085	C	Lafayette, LA	16,640
E086	A	Lake Charles, LA	2,617
E086	B	Lake Charles, LA	7,850
E086	C	Lake Charles, LA	15,699
E087	A	Beaumont-Port Arthur, TX	2,500
E087	B	Beaumont-Port Arthur, TX	6,339
E087	C	Beaumont-Port Arthur, TX	12,677
E088	A	Shreveport-Bossier City, LA-AR	2,777
E088	B	Shreveport-Bossier City, LA-AR	8,331
E088	C	Shreveport-Bossier City, LA-AR	16,662
E089	A	Monroe, LA	2,500
E089	B	Monroe, LA	4,904
E089	C	Monroe, LA	9,807
E090	A	Little Rock-North Little Rock, AR	7,236
E090	B	Little Rock-North Little Rock, AR	21,707
E090	C	Little Rock-North Little Rock, AR	43,413
E091	A	Fort Smith, AR-OK	2,500

EA	Block	Name	Minimum opening bid
E091	B	Fort Smith, AR-OK	4,292
E091	C	Fort Smith, AR-OK	8,584
E092	A	Fayetteville-Springdale-Rogers, AR-MO-OK	2,500
E092	B	Fayetteville-Springdale-Rogers, AR-MO-OK	4,290
E092	C	Fayetteville-Springdale-Rogers, AR-MO-OK	8,579
E093	A	Joplin, MO-KS-OK	2,500
E093	B	Joplin, MO-KS-OK	3,506
E093	C	Joplin, MO-KS-OK	7,012
E094	A	Springfield, MO	3,563
E094	B	Springfield, MO	10,687
E094	C	Springfield, MO	21,373
E095	A	Jonesboro, AR-MO	2,500
E095	B	Jonesboro, AR-MO	4,352
E095	C	Jonesboro, AR-MO	8,704
E096	A	St. Louis, MO-IL	17,015
E096	B	St. Louis, MO-IL	51,043
E096	C	St. Louis, MO-IL	102,085
E097	A	Springfield, IL-MO	2,500
E097	B	Springfield, IL-MO	7,496
E097	C	Springfield, IL-MO	14,991
E098	A	Columbia, MO	2,500
E098	B	Columbia, MO	4,824
E098	C	Columbia, MO	9,647
E099	A	Kansas City, MO-KS	11,125
E099	B	Kansas City, MO-KS	33,374
E099	C	Kansas City, MO-KS	66,748
E100	A	Des Moines, IA-IL-MO	8,024
E100	B	Des Moines, IA-IL-MO	24,070
E100	C	Des Moines, IA-IL-MO	48,139
E101	A	Peoria-Pekin, IL	2,619
E101	B	Peoria-Pekin, IL	7,856
E101	C	Peoria-Pekin, IL	15,712
E102	A	Davenport-Moline-Rock Island, IA-IL	2,742
E102	B	Davenport-Moline-Rock Island, IA-IL	8,224
E102	C	Davenport-Moline-Rock Island, IA-IL	16,448
E103	A	Cedar Rapids, IA	2,500
E103	B	Cedar Rapids, IA	5,116
E103	C	Cedar Rapids, IA	10,231
E104	A	Madison, WI-IA-IL	4,187
E104	B	Madison, WI-IA-IL	12,559
E104	C	Madison, WI-IA-IL	25,117
E105	A	La Crosse, WI-MN	2,500
E105	B	La Crosse, WI-MN	3,308
E105	C	La Crosse, WI-MN	6,616
E106	A	Rochester, MN-IA-WI	2,500
E106	B	Rochester, MN-IA-WI	4,383
E106	C	Rochester, MN-IA-WI	8,766
E107	A	Minneapolis-St. Paul, MN-WI-IA	19,728
E107	B	Minneapolis-St. Paul, MN-WI-IA	59,182
E107	C	Minneapolis-St. Paul, MN-WI-IA	118,364
E108	A	Wausau, WI	2,500
E108	B	Wausau, WI	6,773
E108	C	Wausau, WI	13,546
E109	A	Duluth-Superior, MN-WI	2,500
E109	B	Duluth-Superior, MN-WI	5,111
E109	C	Duluth-Superior, MN-WI	10,221
E110	A	Grand Forks, ND-MN	2,500
E110	B	Grand Forks, ND-MN	3,613
E110	C	Grand Forks, ND-MN	7,225
E111	A	Minot, ND	2,500
E111	B	Minot, ND	2,500
E111	C	Minot, ND	3,482
E112	A	Bismarck, ND-MT-SD	2,500
E112	B	Bismarck, ND-MT-SD	2,584
E112	C	Bismarck, ND-MT-SD	5,167
E113	A	Fargo-Moorhead, ND-MN	2,500
E113	B	Fargo-Moorhead, ND-MN	5,216
E113	C	Fargo-Moorhead, ND-MN	10,431
E114	A	Aberdeen, SD	2,500
E114	B	Aberdeen, SD	2,500
E114	C	Aberdeen, SD	2,541
E115	A	Rapid City, SD-MT-ND-NE	2,500
E115	B	Rapid City, SD-MT-ND-NE	2,997

EA	Block	Name	Minimum opening bid
E115	C	Rapid City, SD-MT-ND-NE	5,994
E116	A	Sioux Falls, SD-IA-MN-NE	2,500
E116	B	Sioux Falls, SD-IA-MN-NE	7,175
E116	C	Sioux Falls, SD-IA-MN-NE	14,350
E117	A	Sioux City, IA-NE-SD	2,500
E117	B	Sioux City, IA-NE-SD	3,593
E117	C	Sioux City, IA-NE-SD	7,186
E118	A	Omaha, NE-IA-MO	4,795
E118	B	Omaha, NE-IA-MO	14,383
E118	C	Omaha, NE-IA-MO	28,765
E119	A	Lincoln, NE	2,500
E119	B	Lincoln, NE	5,126
E119	C	Lincoln, NE	10,251
E120	A	Grand Island, NE	2,500
E120	B	Grand Island, NE	4,163
E120	C	Grand Island, NE	8,326
E121	A	North Platte, NE-CO	2,500
E121	B	North Platte, NE-CO	2,500
E121	C	North Platte, NE-CO	2,500
E122	A	Wichita, KS-OK	5,472
E122	B	Wichita, KS-OK	16,414
E122	C	Wichita, KS-OK	32,827
E123	A	Topeka, KS	2,500
E123	B	Topeka, KS	6,672
E123	C	Topeka, KS	13,344
E124	A	Tulsa, OK-KS	6,299
E124	B	Tulsa, OK-KS	18,895
E124	C	Tulsa, OK-KS	37,790
E125	A	Oklahoma City, OK	7,754
E125	B	Oklahoma City, OK	23,261
E125	C	Oklahoma City, OK	46,522
E126	A	Western Oklahoma, OK	2,500
E126	B	Western Oklahoma, OK	2,500
E126	C	Western Oklahoma, OK	4,346
E127	A	Dallas-Fort Worth, TX-AR-OK	30,904
E127	B	Dallas-Fort Worth, TX-AR-OK	92,712
E127	C	Dallas-Fort Worth, TX-AR-OK	185,424
E128	A	Abilene, TX	2,500
E128	B	Abilene, TX	3,202
E128	C	Abilene, TX	6,403
E129	A	San Angelo, TX	2,500
E129	B	San Angelo, TX	2,837
E129	C	San Angelo, TX	5,673
E130	A	Austin-San Marcos, TX	4,612
E130	B	Austin-San Marcos, TX	13,835
E130	C	Austin-San Marcos, TX	27,670
E131	A	Houston-Galveston-Brazoria, TX	22,839
E131	B	Houston-Galveston-Brazoria, TX	68,516
E131	C	Houston-Galveston-Brazoria, TX	137,031
E132	A	Corpus Christi, TX	2,505
E132	B	Corpus Christi, TX	7,513
E132	C	Corpus Christi, TX	15,025
E133	A	McAllen-Edinburg-Mission, TX	3,510
E133	B	McAllen-Edinburg-Mission, TX	10,529
E133	C	McAllen-Edinburg-Mission, TX	21,057
E134	A	San Antonio, TX	8,710
E134	B	San Antonio, TX	26,130
E134	C	San Antonio, TX	52,260
E135	A	Odessa-Midland, TX	2,500
E135	B	Odessa-Midland, TX	5,738
E135	C	Odessa-Midland, TX	11,476
E136	A	Hobbs, NM-TX	2,500
E136	B	Hobbs, NM-TX	2,777
E136	C	Hobbs, NM-TX	5,554
E137	A	Lubbock, TX	2,500
E137	B	Lubbock, TX	5,357
E137	C	Lubbock, TX	10,713
E138	A	Amarillo, TX-NM	2,500
E138	B	Amarillo, TX-NM	6,724
E138	C	Amarillo, TX-NM	13,448
E139	A	Santa Fe, NM	2,500
E139	B	Santa Fe, NM	3,131
E139	C	Santa Fe, NM	6,261



EA	Block	Name	Minimum opening bid
E140	A	Pueblo, CO-NM	2,500
E140	B	Pueblo, CO-NM	3,707
E140	C	Pueblo, CO-NM	7,414
E141	A	Denver-Boulder-Greeley, CO-KS-NE	15,156
E141	B	Denver-Boulder-Greeley, CO-KS-NE	45,468
E141	C	Denver-Boulder-Greeley, CO-KS-NE	90,935
E142	A	Scottsbluff, NE-WY	2,500
E142	B	Scottsbluff, NE-WY	2,500
E142	C	Scottsbluff, NE-WY	2,760
E143	A	Casper, WY-ID-UT	2,500
E143	B	Casper, WY-ID-UT	5,732
E143	C	Casper, WY-ID-UT	11,463
E144	A	Billings, MT-WY	2,500
E144	B	Billings, MT-WY	5,438
E144	C	Billings, MT-WY	10,876
E145	A	Great Falls, MT	2,500
E145	B	Great Falls, MT	2,500
E145	C	Great Falls, MT	4,899
E146	A	Missoula, MT	2,500
E146	B	Missoula, MT	5,010
E146	C	Missoula, MT	10,020
E147	A	Spokane, WA-ID	3,460
E147	B	Spokane, WA-ID	10,378
E147	C	Spokane, WA-ID	20,755
E148	A	Idaho Falls, ID-WY	2,500
E148	B	Idaho Falls, ID-WY	3,951
E148	C	Idaho Falls, ID-WY	7,902
E149	A	Twin Falls, ID	2,500
E149	B	Twin Falls, ID	2,500
E149	C	Twin Falls, ID	4,105
E150	A	Boise City, ID-OR	2,500
E150	B	Boise City, ID-OR	6,124
E150	C	Boise City, ID-OR	12,248
E151	A	Reno, NV-CA	2,556
E151	B	Reno, NV-CA	7,666
E151	C	Reno, NV-CA	15,331
E152	A	Salt Lake City-Ogden, UT-ID	8,180
E152	B	Salt Lake City-Ogden, UT-ID	24,540
E152	C	Salt Lake City-Ogden, UT-ID	49,080
E153	A	Las Vegas, NV-AZ-UT	4,719
E153	B	Las Vegas, NV-AZ-UT	14,156
E153	C	Las Vegas, NV-AZ-UT	28,312
E154	A	Flagstaff, AZ-UT	2,500
E154	B	Flagstaff, AZ-UT	4,497
E154	C	Flagstaff, AZ-UT	8,993
E155	A	Farmington, NM-CO	2,500
E155	B	Farmington, NM-CO	2,500
E155	C	Farmington, NM-CO	4,505
E156	A	Albuquerque, NM-AZ	3,815
E156	B	Albuquerque, NM-AZ	11,443
E156	C	Albuquerque, NM-AZ	22,885
E157	A	El Paso, TX-NM	4,038
E157	B	El Paso, TX-NM	12,113
E157	C	El Paso, TX-NM	24,226
E158	A	Phoenix-Mesa, AZ-NM	11,826
E158	B	Phoenix-Mesa, AZ-NM	35,476
E158	C	Phoenix-Mesa, AZ-NM	70,951
E159	A	Tucson, AZ	3,971
E159	B	Tucson, AZ	11,913
E159	C	Tucson, AZ	23,826
E160	A	Los Angeles-Riverside-Orange County, CA-AZ	79,460
E160	B	Los Angeles-Riverside-Orange County, CA-AZ	238,378
E160	C	Los Angeles-Riverside-Orange County, CA-AZ	476,755
E161	A	San Diego, CA	12,491
E161	B	San Diego, CA	37,471
E161	C	San Diego, CA	74,941
E162	A	Fresno, CA	5,845
E162	B	Fresno, CA	17,535
E162	C	Fresno, CA	35,070
E163	A	San Francisco-Oakland-San Jose, CA	40,166
E163	B	San Francisco-Oakland-San Jose, CA	120,498
E163	C	San Francisco-Oakland-San Jose, CA	240,995
E164	A	Sacramento-Yolo, CA	9,678

EA	Block	Name	Minimum opening bid
E164	B	Sacramento-Yolo, CA	29,033
E164	C	Sacramento-Yolo, CA	58,065
E165	A	Redding, CA-OR	2,500
E165	B	Redding, CA-OR	4,614
E165	C	Redding, CA-OR	9,228
E166	A	Eugene-Springfield, OR-CA	3,449
E166	B	Eugene-Springfield, OR-CA	10,345
E166	C	Eugene-Springfield, OR-CA	20,690
E167	A	Portland-Salem, OR-WA	11,551
E167	B	Portland-Salem, OR-WA	34,651
E167	C	Portland-Salem, OR-WA	69,302
E168	A	Pendleton, OR-WA	2,500
E168	B	Pendleton, OR-WA	2,642
E168	C	Pendleton, OR-WA	5,284
E169	A	Richland-Kennewick-Pasco, WA	2,729
E169	B	Richland-Kennewick-Pasco, WA	8,187
E169	C	Richland-Kennewick-Pasco, WA	16,373
E170	A	Seattle-Tacoma-Bremerton, WA	17,226
E170	B	Seattle-Tacoma-Bremerton, WA	51,676
E170	C	Seattle-Tacoma-Bremerton, WA	103,352
E171	A	Anchorage, AK	2,751
E171	B	Anchorage, AK	8,251
E171	C	Anchorage, AK	16,502
E172	A	Honolulu, HI	5,542
E172	B	Honolulu, HI	16,624
E172	C	Honolulu, HI	33,247
E173	A	Guam & Northern Mariana Isl.	2,500
E173	B	Guam & Northern Mariana Isl.	2,648
E173	C	Guam & Northern Mariana Isl.	5,295
E174	A	Puerto Rico & Virgin Isl.	18,120
E174	B	Puerto Rico & Virgin Isl.	54,358
E174	C	Puerto Rico & Virgin Isl.	108,716
E175	A	American Samoa	2,500
E175	B	American Samoa	2,500
E175	C	American Samoa	2,500

[FR Doc. 97-28161 Filed 10-22-97; 8:45 am]  
 BILLING CODE 6712-01-P

**FEDERAL ELECTION COMMISSION**

**Sunshine Act Meeting**

**AGENCY:** Federal Election Commission.  
*Date and Time:* Tuesday, October 28, 1997 at 10:00 a.m.  
*Place:* 999 E Street, N.W., Washington, D.C.  
*Status:* This meeting will be closed to the public.  
*Items to be Discussed:*  
 Compliance matters pursuant to 2 U.S.C. § 437g.  
 Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.  
 Matters concerning participation in civil actions or proceedings or arbitration.  
 Internal personnel rules and procedures or matters affecting a particular employee.  
*Date and Time:* Thursday, October 30, 1997, at 10:00 a.m.  
*Place:* 999 E Street, N.W. Washington, D.C. (ninth floor)  
*Status:* This meeting will be open to the public.  
*Items to be discussed:*

Correction and Approval of Minutes. Administrative Matters.

**PERSON TO CONTACT FOR INFORMATION:**

Mr. Ron Harris, Press Officer,  
 Telephone: (202) 219-4155.  
**Marjorie W. Emmons,**  
*Secretary of the Commission.*

[FR Doc. 97-28299 Filed 10-21-95; 3:19 pm]  
 BILLING CODE 6715-01-M

**FEDERAL MARITIME COMMISSION**

[Docket No. 97-18]

**APL/MOL/OOCL/HMM Reciprocal Slot Exchange Agreement, Agreement No. 203-011588; Order To Show Cause**

**Introduction**

This proceeding is instituted pursuant to sections 10(c) (6) and 11 of the Shipping Act of 1984 ("1984 Act"), 46 U.S.C. app. §§ 1709(c)(6) and 1710. The APL/MOL/OOCL/HMM Reciprocal Slot Exchange Agreement, Agreement No. 203-011588 ("the Agreement"), an agreement for the reciprocal chartering of space aboard vessels operated in the U.S. foreign trades by the agreement members, appears to reserve for one member of the Agreement the carriage of

cargo offered by shippers subject to U.S. cargo preference laws.

Under section 10(c)(6) of the 1984 Act, 46 U.S.C. app. § 1709(c)(6), it is unlawful for any conference or group of two or more common carriers to

allocate shippers among specific carriers that are parties to the agreement or prohibit a carrier that is a party to the agreement from soliciting cargo from a particular shipper, except as otherwise required by the law of the United States or the importing or exporting country. \* \* \*

It appears that the Agreement on its face presents a violation of section 10(c)(6). Therefore, pursuant to section 11 of the 1984 Act, the parties to the Agreement are ordered to show cause why the Agreement should not be found to be in violation of the 1984 Act and should not be disapproved, canceled or modified accordingly.

**Background**

The Agreement, entered into by the parties on August 29, 1997, was filed with the Federal Maritime Commission ("Commission" or "FMC") on September 2, 1997, pursuant to section 5 of the 1984 Act, 46 U.S.C. app.