

which the high bid increased in at least one of the preceding specified number of rounds.

39. The Bureau proposes to exercise these options only in certain circumstances, such as, 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 Bureau is 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 licenses where there is still a high level of bidding activity. The Bureau seeks comment on these proposals.

#### IV. Conclusion

40. Comments are due on or before September 21, 2001, and reply comments are due on or before September 28, 2001. An original and four copies of all pleadings must be filed with the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, Room TW-A325, 445 Twelfth Street, SW., Washington, DC 20554, in accordance with § 1.51(c) of the Commission's rules. In addition, one copy of each pleading must be delivered to each of the following locations: (i) The Commission's duplicating contractor, Qualex International, Portals II, 445 Twelfth Street, SW., Room CY-B402, Washington, DC 20554; (ii) Office of Media Relations, Public Reference Center, Room CY-A257, 445 Twelfth Street, SW., Washington, DC 20554; (iii) Rana Shuler, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, Room 4-A628, 445 Twelfth Street, SW., Washington, DC 20554. Comments and reply comments will be available for public inspection during regular business hours in the FCC Public Reference Room, Room CY-A257, 445 12th Street, SW., Washington, DC 20554.

41. This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. 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. Other rules pertaining to oral and written *ex parte* presentations in

permit-but-disclose proceedings are set forth in § 1.1206(b) of the Commission's rules.

Federal Communications Commission.

**Margaret Wiener,**

*Chief, Auctions and Industry Analysis Division, WTB.*

[FR Doc. 01-23360 Filed 9-19-01; 8:45 am]

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#### FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-01-37-H (Auction No. 37); DA 01-2148]

#### Auction for FM Non-Reserved Band FM Allotments

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces the postponement of Broadcast Auction No. 37 for vacant non-reserved band FM allotments.

**FOR FURTHER INFORMATION:** Kathy Garland, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau at (717) 338-2888; Kenneth Burnley, Legal Branch, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau at (202) 418-0660; or Lisa Scanlan, Audio Services Division, Mass Media Bureau at (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a summary of a Public Notice released September 14, 2001. The complete text of the Public Notice is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. It may also be purchased from the Commission's copy contractor, Qualex International, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, (202) 863-2898. It is also available on the Commission's Web site at <http://www.fcc.gov>.

#### General Information

The Wireless Telecommunications Bureau and the Mass Media Bureau (collectively, the "Bureaus") announce the postponement of Auction No. 37 for vacant non-reserved band FM allotments, which was previously scheduled to begin on December 5, 2001.

On July 3, 2001, the United States Court of Appeals for the District of Columbia Circuit in *National Public Radio, Inc. et al., v. FCC, Nos. 00-1246, 00-1255* (decided July 3, 2001) ("NPR") vacated the portion of the Commission's

Noncommercial Report and Order, 65 FR 36375 (June 8, 2000), that required noncommercial educational ("NCE") entities that applied for authorizations in the non-reserved spectrum to participate in auctions with mutually exclusive commercial applicants. Each of the vacant non-reserved FM band allotments included in Auction No. 37 is potentially impacted by NPR. The Bureaus announce that they will postpone Auction No. 37 while the Commission formulates its response to the NPR decision. Therefore, the previously announced filing window for FCC Form 175 submissions is cancelled, and Auction No. 37 FCC Form 175 applications will not be accepted as previously scheduled. Further information, including a revised FM Auction No. 37 schedule, will be announced in forthcoming Commission notices.

Federal Communications Commission.

**Lisa Scanlan,**

*Supervisory Attorney, Audio Services Division, Mass Media Bureau.*

[FR Doc. 01-23498 Filed 9-19-01; 8:45 am]

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#### FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2502]

#### Petitions for Reconsideration of Action in Rulemaking Proceedings

September 13, 2001.

Petitions for Reconsideration have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of these documents are available for viewing and copying in Room CY-A257, 445 12th Street, SW., Washington, DC, or may be purchased from the Commission's copy contractor, Qualex International (202) 863-2893. Oppositions to these petitions must be filed by October 5, 2001. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

*Subject:* Amendment of FM Table of Allotments (MM Docket No. 98-162).

*Number of Petitions Filed:* 1.

*Subject:* Amendment of FM Table of Allotments (MM Docket No. 97-178).

*Number of Petitions Filed:* 1.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 01-23496 Filed 9-19-01; 8:45 am]

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