

construction permits will be granted only after the full and timely payment of winning bids and any applicable late fees, in accordance with 47 CFR 1.2109(a).

ii. Long-Form Applications

148. Within thirty days after the release of the auction closing notice, winning bidders must electronically submit a properly completed FCC Form 301, Application for FM Construction Permit, and required exhibits for each construction permit won through Auction No. 62. Winning bidders claiming new entrant status must include an exhibit demonstrating their eligibility for the bidding credit. Further filing instructions will be provided to auction winners at the close of the auction.

149. One commenter suggests that the FCC Form 301 deadline be extended beyond 30 days, arguing that the Auction No. 37 FCC Form 301 deadline occurred immediately after the end-of-year holiday period, and at a time of year when the locations of many allotments were subject to winter weather (snow & ice). The commenter implies, without explanation, that the winter weather interferes with winning bidders' "finding and negotiating for a parcel of property." However, the Bureaus' rules provide for FCC Form 301 filing within 30 days of the auction's close, which itself is not a fixed date. In Auction No. 37, all winning bidders timely filed their FCC Form 301 applications, and over half of the applicants, 139, received grants within 90 days of the FCC Form 301 filing deadline. Thus, the Bureaus see no reason to alter the filing deadline.

iii. Default and Disqualification

150. Any high bidder that defaults or is disqualified after the close of the auction (*i.e.*, fails to remit the required down payment within the prescribed period of time, fails to submit a timely long-form application, fails to make full payment, or is otherwise disqualified) will be subject to the payments described in 47 CFR 1.2104(g)(2). In such event the Commission may re-auction the construction permit or offer it to the next highest bidder (in descending order) at its final bid. In addition, if a default or disqualification involves gross misconduct, misrepresentation, or bad faith by an applicant, the Commission may declare the applicant and its principals ineligible to bid in future auctions, and may take any other action that it deems necessary, including institution of proceedings to revoke any existing

licenses or construction permits held by the applicant.

vi. Refund of Remaining Upfront Payment Balance

151. All applicants that submit upfront payments but are not winning bidders for a construction permit in Auction No. 62 may be entitled to a refund of their remaining upfront payment balance after the conclusion of the auction. No refund will be made unless there are excess funds on deposit from the applicant after any applicable bid withdrawal payments have been paid. All refunds will be returned to the payer of record, as identified on the FCC Form 159, unless the payer submits written authorization instructing otherwise.

152. Bidders that drop out of the auction completely may be eligible for a refund of their upfront payments before the close of the auction. Qualified bidders that have exhausted all of their activity rule waivers, have no remaining bidding eligibility, and have not withdrawn a provisionally winning bid during the auction must submit a written refund request. If you have completed the refund instructions electronically, then only a written request for the refund is necessary. If not, the request must also include wire transfer instructions, Taxpayer Identification Number (TIN) and FCC Registration Number (FRN). Send refund requests to: Federal Communications Commission, Financial Operations Center, Auctions Accounting Group, Gail Glasser, 445 12th Street, SW., Room 1-C864, Washington, DC 20554.

Federal Communications Commission.

**Gary D. Michaels,**

*Deputy Chief, Auctions and Spectrum Access Division.*

[FR Doc. 05-14238 Filed 7-19-05; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

[CC Docket 87-124, DA 05-1683]

**Request for Comments On Panasonic Corporation Of North America's Request For Waiver Of Hearing Aid-Compatibility And Volume Control Requirements For Its Panasonic 2.4 GHz FHSS Cordless Telephone With Bone Conduction Type Ear-Piece**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the Commission seeks public comment on a

Request for Waiver filed by Panasonic Corporation regarding the hearing aid compatibility and volume control requirements in order to market the Panasonic 2.4 GHz FHSS Cordless Telephone with Bone Conduction Type Ear-Piece, Model KX-TG2388.

**DATES:** Reply comments may be filed on or before July 7, 2005.

**ADDRESSES:** You may submit comments identified by CC Docket 87-124, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Federal Communications Commission's Web site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- E-mail: [Arlene.Alexander@fcc.gov](mailto:Arlene.Alexander@fcc.gov).

Include the docket number(s) in the subject line of the message.

- Mail: Federal Communications Commission, Consumer & Governmental Affairs Bureau, 445 12th Street, SW., Room CY-418, Washington, DC 20554.

- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone (202) 418-0539 or TTY: (202) 418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:**

Arlene Alexander, (202) 418-0581 (voice), (202) 418-0183 (TTY), or e-mail [Arlene.Alexander@fcc.gov](mailto:Arlene.Alexander@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice, DA 05-1683, released June 17, 2005. Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file reply comments on or before July 7, 2005. All filings must reference CC Docket No. 87-124. Reply comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Reply comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the reply comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the

applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenter must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, electronic media, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc. will receive hand-delivered or messenger-delivered paper filings or electronic media for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial and electronic media sent by overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW-B204, Washington, DC 20554.

Parties who choose to file by paper should also submit their reply comment on diskette. These diskettes should be submitted, along with three paper copies to: Arlene Alexander, Consumer & Governmental Affairs Bureau, Disability Rights Office, 445 12th Street, SW., Room CY-C418, Washington, DC 20554. Such a submission should be a 3.5 inch diskette formatted in an IBM compatible format using Word 97 or compatible software. The diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskette should be clearly labeled with the commenter's name, proceeding (including the lead docket number in this case (CC Docket No. 87-124)), type of pleading (Reply comment), date of submission, and the

name of the electronic file on the diskette. The label should also include the following phrases "Disk Copy—Not an Original." Each diskette should contain only one party's pleading, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-CB402, Washington, DC 20554.

Pursuant to § 1.1206 of the Commission's rules, 47 CFR 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are subject to disclosure.

A copy of this document, Panasonic's Request for Waiver, and any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. This document, Panasonic's Request for Waiver submission and any subsequently filed document in this matter may also be purchased from the Commission's duplicating contractor, BCPI, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact BCPI at their Web site: <http://www.bcpweb.com> or call 1-800-378-3160. A copy of the submission may also be found by searching on the Commission's Electronic Comment Filing System (ECFS) at <http://www.fcc.gov/cgb/ecfs> (insert CC Docket No. 87-124 into the Proceeding block).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). This Public Notice can also be downloaded in Word and Portable Document Format (PDF) at <http://www.fcc.gov/cgb.dro>.

#### Synopsis

On April 19, 2005, Panasonic Corporation filed a Request for Waiver with the Federal Communications Commission (Commission) of the hearing aid compatibility and volume control requirements set forth in 47 CFR 68.316 and 68.317 in order to market the Panasonic 2.4 GHz FHSS Cordless Telephone with Bone Conduction Type Ear-Piece, Model KX-TG2388. Panasonic asserts that the non-conforming ear-piece will benefit the special needs of "transmission hearing impaired" persons, *i.e.*, individuals who

have loss of hearing in the outer ear that collects incoming sound waves. Panasonic also states that the product would be labeled as non-hearing aid compatible, contain a warning that the phone may not be used in a public location, and provide instructions on how to reduce feedback in a hearing aid caused by the telephone.

Federal Communications Commission.

**Jay Keithley,**

*Deputy Bureau Chief, Consumer & Governmental Affairs Bureau.*

[FR Doc. 05-14061 Filed 7-19-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[CC Docket 87-124, DA 05-1653]

### Obligation of Telecommunications Equipment Manufacturers And Telecommunications Services Providers To Designate Agent For Complaints Received By The FCC

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the Commission reminds telecommunications equipment manufacturers and telecommunications service providers of their obligation to designate an agent for service of informal and formal complaints received by the Commission.

**DATES:** Effective June 14, 2005.

#### FOR FURTHER INFORMATION CONTACT:

Arlene Alexander, (202) 418-0581 (voice), (202) 418-0183 (TTY), or e-mail [Arlene.Alexander@fcc.gov](mailto:Arlene.Alexander@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice, DA 05-1653, released June 14, 2005. This designation or updated designation information may be sent to the Commission via e-mail to [Section255\\_POC@fcc.gov](mailto:Section255_POC@fcc.gov) or mail 1 copy only to: Federal Communications Commission, Attention: Arlene Alexander, 445 12th Street, SW., Room CY-C418, Washington, DC 20554. Contact information for section 255 telecommunications equipment manufacturers is posted on the Consumer & Governmental Affairs Bureau's Web site at: [http://www.fcc.gov/cgb/dro/section255\\_manu.html](http://www.fcc.gov/cgb/dro/section255_manu.html); contact information for telecommunications service providers is posted at [http://www.fcc.gov/cgb/dro/service\\_providers.html](http://www.fcc.gov/cgb/dro/service_providers.html); and contact information for affected colleges and universities is posted at <http://www.fcc.gov/cgb/dro/colleges.html>.