



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 TWELFTH STREET, S.W.  
WASHINGTON, D.C. 20554

DA 03-1523

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

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**AT&T WIRELESS SERVICES, INC., UNITED STATES CELLULAR CORPORATION,  
ARNAGE WIRELESS, LLC, SKAGIT WIRELESS, LLC, AND ABC WIRELESS, LLC  
SEEK FCC CONSENT TO ASSIGN CELLULAR AND  
BROADBAND PERSONAL COMMUNICATIONS SERVICES LICENSES**

**WT Dkt. No. 03-113**

**PLEADING CYCLE ESTABLISHED**

**Petitions/Comments Due: June 5, 2003**  
**Oppositions Due: June 16, 2003**  
**Replies Due: June 23, 2003**

Subsidiaries of AT&T Wireless Services, Inc. (“AWS”) and United States Cellular Corporation (“USCC”), Arnage Wireless, LLC (“Arnage”), Skagit Wireless, LLC (“Skagit”) and ABC Wireless, LLC (“ABC”) have filed a series of thirteen applications pursuant to Section 310(d) of the Communications Act of 1934, as amended,<sup>1</sup> seeking Commission consent for the full and partial assignment of cellular, broadband Personal Communications Services (“PCS”), and point-to-point microwave licenses in various markets. This transaction consists of assignments from Arnage to AWS, Skagit to AWS, and ABC to AWS, and subsequent exchanges of full and partial licenses between AWS and USCC. As a result of this transaction, USCC will receive 10 or 20 MHz of broadband PCS spectrum in discrete portions of six states.<sup>2</sup> In addition, AWS will receive eight 25 MHz cellular operating systems in discrete portions of Florida and Georgia, along with the ancillary microwave facilities that support those systems.

Upon consummation of this transaction, USCC will cease providing mobile telephony service in the applicable Florida and Georgia markets, and the current USCC customers will be transitioned to AWS.<sup>3</sup> AWS anticipates that, for a period of several months following consummation of this transaction, it will continue to operate the USCC markets under the USCC brand with no material change to the rate

<sup>1</sup> 47 U.S.C. § 310(d).

<sup>2</sup> USCC also will be acquiring non-controlling, minority partnership interests in certain cellular systems. Specifically, the parties state that AWS will assign its entire interest in the following systems to USCC: (1) shares of common stock representing 1.39791% of the outstanding common stock in LaCrosse Cellular Telephone, Inc., a Delaware corporation; (2) a 2.043% limited partnership interest in Dubuque Cellular Telephone L.P., a Delaware limited partnership; (3) a 2.5536% limited partnership interest in Manchester-Nashua Cellular Telephone L.P., a Delaware limited partnership; (4) a 3.4046% general partnership interest in Racine Cellular Telephone Company, a Wisconsin general partnership; (5) a 4.8133% general partnership interest in Lewiston CellTelCo Partnership, a Washington, D.C. general partnership; and (6) a 5.2840% limited partnership interest in Bangor Cellular Telephone L.P., a Delaware limited partnership. See Application at Exhibit A, 1.

<sup>3</sup> See *id.* at Exhibit A, 9.

plans or service received.<sup>4</sup> When AWS transitions these markets and customers to AWS service, it intends to provide the USCC customers with a minimum of 30-days notice of the transition.<sup>5</sup>

## I. APPLICATIONS

This Public Notice lists four groups of applications for full and partial assignment of Part 22 cellular licenses, Part 24 PCS licenses, and Part 101 point-to-point microwave licenses. The first group consists of applications relating to the assignment of certain authorizations from Arnage, Skagit, and ABC to AT&T Wireless PCS, LLC (“AWP”), a wholly owned subsidiary of AWS. The second group consists of applications relating to the *pro forma* assignment of certain authorizations from wholly-owned subsidiaries of USCC to Florida RSA #8 LLC (“Florida RSA #8”), another wholly owned subsidiary of USCC. The third group consists of applications relating to the assignment of certain authorization from AWP to Florida RSA #8. The fourth group consists of applications relating to the assignment of certain authorizations from Florida RSA #8 to AWP.

### A. APPLICATIONS TO ASSIGN LICENSES FROM THIRD PARTIES TO AWP

The following are applications for consent to assign full broadband PCS licenses from ABC, Skagit and Arnage to AWP. The applications have been assigned the file numbers below:

<u>File Number</u>	<u>Assignor</u>	<u>Lead Call Sign</u>
0001254000	ABC Wireless, LLC	KNLH391
0001253983	Skagit Wireless, LLC	KNLH285
0001253977	Arnage Wireless, LLC	KNLG716

### B. PRO FORMA APPLICATIONS TO ASSIGN LICENSES FROM USCC TO FLORIDA RSA #8

The following are *pro forma* applications for consent to assign full cellular licenses and the associated microwave authorizations from subsidiaries of USCC to Florida RSA #8. The applications have been assigned the file numbers below:

<u>File Number</u>	<u>Assignor</u>	<u>Lead Call Sign</u>
0001256977	Georgia RSA #11, Inc.	KNKN706
0001256940	USCOC of Tallahassee, Inc	KNKA481
0001256893	USCOC of Florida RSA #7, Inc.	KNKQ382
0001256862	Florida RSA #8, Inc.	KNKA583

### C. APPLICATIONS TO ASSIGN LICENSES FROM AWP TO FLORIDA RSA #8

The following are applications for consent to assign full and partial broadband PCS licenses from AWP to Florida RSA #8. The applications have been assigned the file numbers below:

<u>File Number</u>	<u>Assignor</u>	<u>Lead Call Sign</u>
0001255800	AT&T Wireless PCS, LLC	KNLF216
0001255785	AT&T Wireless PCS, LLC	KNLG487

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<sup>4</sup> See *id.*

<sup>5</sup> See *id.*

50010-CW-AA-03<sup>6</sup>  
0001255845  
0001255862<sup>7</sup>

AT&T Wireless PCS, LLC  
TeleCorp PCS, LLC  
Eclipse PCS of Indianapolis, LLC

KNLG716  
WPOI217  
WPQP644

#### **D. APPLICATION TO ASSIGN LICENSES FROM FLORIDA RSA #8 TO AWP**

The following is an application for consent to assign full cellular licenses and associated microwave authorizations from Florida RSA #8 to AWP. The application has been assigned the file number below:

<u>File Number</u>	<u>Assignor</u>	<u>Lead Call Sign</u>
00001-CL-AA-03 <sup>8</sup>	Florida RSA #8 LLC	KNKA583

#### **II. DESIGNATED ENTITY AND ENTREPRENEURIAL ELIGIBILITY ISSUES**

The Parties state that this transaction will include the transfer of three F Block PCS licenses to AWP.<sup>9</sup> The Commission's Rules state that "[n]o assignment or transfer of control of a license for frequency Block C or frequency Block F won in closed bidding pursuant to the eligibility requirements of § 24.709 will be granted," except when, among other things, "[t]he application for assignments or transfer of control is filed on or after the date the licensee has notified the Commission pursuant to § 24.203(c) that its five-year construction requirement has been satisfied."<sup>10</sup> The Parties to those assignments state that five-year build-out notifications have been filed for each of the F block licenses implicated in the assignment applications.

The Parties to those assignments acknowledge that full payment of the remaining unpaid principal and any unpaid interest accrued through the eventual date of the assignments or transfers of control and any other payments otherwise required by Section 1.2111 of the Commission's rules will be

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<sup>6</sup> This application is attached to file no. 0001255862. This application involves a license that concurrently is being assigned from Arnage to AWP. *See* File No. 0001253977; *see also* Applications to Assign Licenses from Third Parties to AWP, *supra* Section A. Since this assignment application is still pending, the license is not shown as belonging to AWP in the Universal Licensing System ("ULS") database. Thus, this application was filed manually with a request for waiver of the ULS electronic filing requirement, pursuant to section 1.913(b) of the Commission's rules. 47 C.F.R. § 1.913(b). We grant the parties' request for waiver of the ULS filing requirement. File No. 0001255862 has been designated as the lead application in this transaction, and all pleadings and other submissions filed in this matter that pertain generally to the transaction and not to a particular application will be available through this file number.

<sup>8</sup> This application is attached to file no. 0001255862. This application involves licenses that concurrently are being assigned from subsidiaries of USCC to Florida RSA #8. *See* File Nos. 0001256977, 0001256940, 0001256893, 0001256862; *see also Pro Forma* Applications to Assign Licenses from USCC to Florida RSA #8, *supra* Section B. Since these assignment applications are still pending, the licenses are not shown as belonging to Florida RSA #8 in the ULS database. Thus, this application was filed manually with a request for waiver of the ULS electronic filing requirement, pursuant to section 1.913(b) of the Commission's rules. 47 C.F.R. § 1.913(b). We grant the parties' request for waiver of the ULS filing requirement.

*See* File Nos. 0001254000, 0001253983, 0001253977 (assigning licenses from ABC, Skagit and Arnage to AWP); *see also* Applications to Assign Licenses from Third Parties to AWP, *supra* Section A.

<sup>10</sup> 47 C.F.R. § 24.839(a), (a)(6).

required to be repaid immediately prior to closing.<sup>11</sup>

### III. GENERAL INFORMATION

The assignment applications referenced herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules or policies.

Final action on these applications will not be taken earlier than thirty-one days following the date of this Public Notice.<sup>12</sup> Interested parties may file comments or petitions to deny no later than **June 5, 2003**. Persons and entities that file petitions to deny become parties to the proceeding. They may participate fully in the proceeding, including seeking access to any confidential information that may be filed under a protective order, seeking reconsideration of decisions, and filing appeals of a final decision to the courts. Persons and entities that file comments will have those comments considered but do not become parties to the proceeding and may not be able to participate as fully as petitioners. Oppositions to such pleadings may be filed no later than **June 16, 2003**. Replies to such pleadings may be filed no later than **June 23, 2003**. All filings concerning matters referenced in this Public Notice should refer to **DA 03-1523** and **WT Docket No. 03-113**, as well as the specific file numbers of the individual applications or other matters to which the filings pertain.

Under the Commission's current procedures for the submission of filings and other documents,<sup>13</sup> submission in this matter may be filed electronically (*i.e.*, by the Commission's Electronic Comment Filing System (ECFS)) or by hand delivery to the Commission's Massachusetts Avenue location.

- **If filed by ECFS,**<sup>14</sup> comments shall be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket 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 <your e-mail address>." A sample form and directions will be sent in reply.
- **If filed by paper,** the original and four copies of each filing must be filed by hand or messenger delivery, 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, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 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 overnight mail (other than U.S. Postal Service

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<sup>11</sup> See 47 C.F.R. § 1.2111.

<sup>12</sup> See 47 U.S.C. § 309(b).

<sup>13</sup> See In the Matter of Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, Order, FCC 01-345 (rel. Nov. 29, 2001); see also FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, Public Notice, DA 01-2919 (rel. Dec. 14, 2001).

<sup>14</sup> See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24,121 (1998).

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, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings) to: (1) the Commission's duplicating contractor, Qualex International, at [qualexint@aol.com](mailto:qualexint@aol.com) or (202) 863-2898 (facsimile); (2) Lauren Kravetz Patrich, Commercial Wireless Division, Wireless Telecommunications Bureau, at [lkravetz@fcc.gov](mailto:lkravetz@fcc.gov), or (202) 418-7447 (facsimile); (3) Erin McGrath, Commercial Wireless Division, Wireless Telecommunications Bureau, at [emcgrath@fcc.gov](mailto:emcgrath@fcc.gov) or (202) 418-7447 (facsimile); (4) Rita Cookmeyer, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, at [rcookmey@fcc.gov](mailto:rcookmey@fcc.gov) or (202) 418-2923 (facsimile), and (5) Guy Benson, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, at [gbenson@fcc.gov](mailto:gbenson@fcc.gov) or (202) 418-2643 (facsimile).

For further information, contact Lauren Kravetz Patrich or Erin McGrath, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-7240 (Parts 22 and 24); Rita Cookmeyer, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, at (202) 418-0660 (Installment Payments); or Guy Benson, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, at (202) 418-2946 (Part 101).

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