

PUBLIC NOTICE

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

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DA 14-181
Released: February 11, 2014

AT&T MOBILITY SPECTRUM LLC AND STELERA WIRELESS, LLC SEEK FCC CONSENT TO THE ASSIGNMENT OF ADVANCED WIRELESS SERVICES LICENSES FROM STELERA TO AT&T MOBILITY SPECTRUM

ULS File Nos. 0006047478, 0006047481, 0006047483

PLEADING CYCLE ESTABLISHED

Petitions to Deny Due: February 25, 2014
Oppositions Due: March 7, 2014
Replies Due: March 14, 2014

I. INTRODUCTION

AT&T Mobility Spectrum LLC (“AT&T Mobility Spectrum”), an indirect wholly-owned subsidiary of AT&T Inc. (collectively with AT&T Mobility Spectrum, “AT&T”), and Stelera Wireless, LLC, Debtor-in-Possession (“Stelera,” and together with AT&T, the “Applicants”), have filed three applications pursuant to Section 310(d) of the Communications Act of 1934, as amended,¹ seeking approval of the assignment of Advanced Wireless Services (“AWS-1”) A Block spectrum licenses from Stelera to AT&T Mobility Spectrum. The Applicants request consent to assign six AWS-1 licenses and portions of three AWS-1 licenses from Stelera to AT&T Mobility Spectrum.

The Applicants assert that the proposed assignment would serve the public interest because it would enable AT&T to increase its system capacity to enhance existing services, better accommodate its overall growth, and facilitate the provision of additional products and services to the public in the geographic areas authorized under the licenses. The Applicants represent that the additional spectrum would be used to deploy AT&T’s 4G network using Long Term Evolution technology and would increase network capacity to the benefit of all AT&T subscribers.

Preliminary review of the application indicates that the proposed transaction involves the assignment of 10 to 20 megahertz of AWS-1 A Block spectrum from Stelera to AT&T in 55 counties in nine Cellular Market Areas (“CMAs”) across parts of Arkansas, Colorado, New Mexico, and Texas. Post-transaction, AT&T would hold a total of 56 to 180 megahertz of spectrum in the CMAs involved in this transaction, including 20 to 50 megahertz of AWS-1 spectrum.

¹ 47 U.S.C. § 310(d).

II. SECTION 310(d) APPLICATIONS

The following applications for consent to the assignment of licenses have been assigned the following file numbers:

<u>File No.</u>	<u>Licensee</u>	<u>Assignee</u>	<u>Lead Call Sign</u>
0006047478 ²	Stelera Wireless, LLC, Debtor-in-Possession	Mobility Spectrum LLC	WQGB403
0006047481	Stelera Wireless, LLC, Debtor-in-Possession	Mobility Spectrum LLC	WQGB414
0006047483	Stelera Wireless, LLC, Debtor-in-Possession	Mobility Spectrum LLC	WQGB414

III. EX PARTE STATUS OF THIS PROCEEDING

Pursuant to Section 1.1200(a) of the Commission's rules,³ the Commission may adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires. We announce that this proceeding will be governed by permit-but-disclose *ex parte* procedures that are applicable to non-restricted proceedings under Section 1.1206 of the Commission's rules.⁴

Parties making oral *ex parte* presentations are directed to the Commission's revised *ex parte* rules. Parties are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁵ More than a one- or two-sentence description of the views and arguments presented is generally required.⁶ Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.⁷

IV. GENERAL INFORMATION

The assignment application referenced herein has 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.

Interested parties must file petitions to deny no later than **February 25, 2014**. 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. Oppositions to such pleadings must be filed no later than **March 7, 2014**. Replies to such pleadings must be filed no later than **March 14, 2014**. All filings concerning matters referenced in this Public Notice should refer to ULS File Nos. 0006047478, 0006047481, and/or 0006047483, as appropriate.

To allow the Commission to consider fully all substantive issues regarding the Applications in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in

² The Applicants have designated ULS File No. 0006047478 as the lead application.

³ 47 C.F.R. § 1.1200(a).

⁴ 47 C.F.R. § 1.1206.

⁵ See 47 C.F.R. § 1.1206(b)(1).

⁶ See *id.*

⁷ *Id.* § 1.1206(b).

their initial filings. New issues may not be raised in responses or replies.⁸ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

Under the Commission's current procedures for the submission of filings and other documents,⁹ submissions in this matter may be filed electronically through the Commission's Universal Licensing System ("ULS") or by hand delivery to the Commission.

- **To file electronically**, visit the ULS web site at <http://wireless.fcc.gov/uls/> and click on the "Submit a Pleading" link, complete the administrative information, and upload your pleading.
- **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. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, D.C. 20554. 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 Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., 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, Best Copy and Printing, Inc., at FCC@BCPIWEB.COM or (202) 488-5563 (facsimile); (2) Linda Ray, Broadband Division, Wireless Telecommunications Bureau, at linda.ray@fcc.gov or (202) 418-7247 (facsimile); (3) Catherine Matraves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at catherine.matraves@fcc.gov or (202) 418-7447 (facsimile); and (4) Jim Bird, Office of General Counsel, at TransactionTeam@fcc.gov or (202) 418-1234 (facsimile).

Copies of the applications and any subsequently-filed documents in this matter may be obtained from Best Copy and Printing, Inc. in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. The applications and any associated documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The applications are also available electronically through ULS, which may be accessed on the Commission's Internet website. 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 or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). Contact the FCC to request reasonable accommodations for filing comments (accessible format documents, sign language

⁸ See 47 C.F.R. §1.45(c).

⁹ See FCC Announces Change in Filing Location for Paper Documents, *Public Notice*, 24 FCC Rcd 14312 (2009).

interpreters, CART, etc.) by e-mail: FCC504@fcc.gov; phone: (202) 418-0530 or TTY: (202) 418-0432.

For further information, contact Linda Ray, Broadband Division, Wireless Telecommunications Bureau, at (202) 418-0257, or Catherine Matraves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at (202) 391-6272.

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