



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 12th Street, S.W., TW-A325

WASHINGTON, DC 20554

DA 99-1985

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

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WIRELESS TELECOMMUNICATIONS BUREAU, COMMON CARRIER BUREAU, AND INTERNATIONAL BUREAU GRANT CONSENT FOR TRANSFER OF CONTROL OF LICENSES OF LIBERTY CELLULAR TO ALLTEL

Pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 214, 310(d), and sections 0.261, 0.291, and 0.331 of the Commission's rules, 47 C.F.R. §§ 0.261, 0.291, 0.331, the Wireless Telecommunications Bureau, the Common Carrier Bureau, and the International Bureau approve the applications requesting Commission consent to transfer control of certain licenses and authorizations held by Liberty Cellular, Inc. (or its subsidiaries or affiliates) to ALLTEL Corporation. These applications pertain to licenses for cellular service, paging service, common carrier microwave service, Local Multipoint Distribution Service (LMDS), and interstate lines to provide long distance access and international service. No comments or petitions to deny were received in response to the public notice announcing that the applications had been accepted for filing. *See* DA 99-1460, released July 23, 1999.

Pursuant to the proposed transaction, ALLTEL will acquire all of the common stock of Liberty, and a wholly owned subsidiary of ALLTEL will merge into Liberty. The surviving corporation will be Liberty Cellular, which will be a wholly owned, first-tier subsidiary of ALLTEL. The services currently provided by the two companies do not overlap in any market. The Bureaus find that the proposed transfer will serve the public interest, convenience, and necessity, and grant transfer of control of these licenses and authorizations to ALLTEL. Because Liberty received bidding credits when it obtained its LMDS licenses in Auction No. 17, and ALLTEL is not entitled to these credits, the Commission has received from the parties payment of the unjust enrichment amount, as required by section 1.2111(d) of the Commission's rules, 47 C.F.R. § 1.2111(d).

This Public Notice does not grant consent to transfer control of the LMDS authorization recently granted to Liberty Cellular's affiliate, KINI L.C. At the time of the Public Notice accepting the transfer of control applications for filing, the initial license to KINI L.C. pursuant to its net high bid in Auction No. 23 had not yet been granted and no call sign had been assigned. On August 9, 1999, the Wireless Telecommunications Bureau granted KINI L.C.'s application

and assigned call sign WPOJ994. Because the initial license had not yet been granted, the Wireless Telecommunications Bureau required KINI L.C. to file an additional application to transfer control of this LMDS license. Because the parties' intent to transfer control of this license was announced in the earlier Public Notice covering the entire transaction, the separate application regarding the transfer of this license (LMDS call sign WPOJ994) will not be subject to further public comment. No bidding credits are associated with this license.

Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the consent granted herein is effective upon release of this Public Notice. Pursuant to section 1.106(f) of the Commission's rules, 47 C.F.R. § 1.106(f), petitions for reconsideration may be filed within 30 days of the release of this public notice.

For further information, contact Lauren Kravetz, Wireless Telecommunications Bureau, Commercial Wireless Division, at (202) 418-7240 (Part 22), Ramona Melson, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, at (202) 418-0680 (Part 101), Michelle Carey, Common Carrier Bureau, Policy Division, at (202) 418-2550 (domestic 214 authority), or Susan O'Connell, International Bureau, at (202) 418-1460 (international 214 authority).

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