



PUBLIC NOTICE

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

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

DA 13-2187

Released: November 14, 2013

**SPRINT CORPORATION AND CLEVELAND UNLIMITED, INC. SEEK FCC CONSENT TO
THE ASSIGNMENT OF 12 PERSONAL COMMUNICATIONS SERVICE LICENSES
COVERING PARTS OF INDIANA, OHIO, AND PENNSYLVANIA**

**ULS File Nos. 0005975694, 0005975701, 0005975705, 0005975712, 0005975715, 0005975721,
0005975728, 0005975735, 0005975768, and 0005975784**

PLEADING CYCLE ESTABLISHED

Petitions to Deny Due: December 2, 2013
Oppositions Due: December 12, 2013
Replies Due: December 19, 2013

I. INTRODUCTION

Sprint Corporation (“Sprint”) and Cleveland Unlimited, Inc. (“CUI”)¹ (“CUI” and together with Sprint, the “Applicants”) have filed applications pursuant to section 310(d) of the Communications Act of 1934, as amended,² seeking to assign 12 Personal Communications Service (“PCS”) licenses from CUI and a number of its subsidiaries to two wholly-owned subsidiaries of Sprint, WirelessCo, L.P. and SprintCom, Inc.³ The subject licenses encompass parts of Indiana, Ohio, and Pennsylvania. CUI’s subscribers would not be transferred to Sprint. The Applicants assert that, as a result of this transaction, Sprint can improve its network, expand deployment of new wireless services, and better meet growing consumer demand.

Preliminary review of the applications indicates that, pursuant to the proposed transaction, Sprint would acquire 10 to 16.4 megahertz of PCS spectrum in 56 counties in 23 Cellular Market Areas (“CMAs”) across parts of Indiana, Ohio, and Pennsylvania. Post-transaction, Sprint would hold a maximum of 129.5 megahertz of spectrum in these CMAs.

¹ CUI currently offers voice and data wireless services under the “Revol Wireless” brand.

² 47 U.S.C. § 310(d).

³ The CUI subsidiaries assigning licenses to Sprint are: CSM Cleveland License Sub, LLC; Cleveland Unlimited License Sub, LLC; CSM Columbus (OH) License Sub, LLC; CSM Indianapolis License Sub, LLC; CSM Canton License Sub, LLC; CSM Youngstown License Sub, LLC; CSM Columbus (IN) License Sub, LLC; and CSM New Castle License Sub, LLC.

II. SECTION 310(d) APPLICATIONS

The applications for assignment of licenses from CUI to Sprint have been assigned the following file numbers:

<u>File No.</u>	<u>Licensee/Assignor</u>	<u>Assignee</u>	<u>Lead Call Sign</u>
0005975694	Cleveland Unlimited, Inc.	WirelessCo, L.P.	WPOK609
0005975701	CSM Cleveland License Sub, LLC	SprintCom, Inc.	WQDX564
0005975705	CSM Columbus (OH) License Sub, LLC	SprintCom, Inc.	WQDE350
0005975712	CSM Canton License Sub, LLC	SprintCom, Inc.	KNLG793
0005975715	CSM Youngstown License Sub, LLC	SprintCom, Inc.	KNLG839
0005975721	CSM Indianapolis License Sub, LLC	WirelessCo, L.P.	WQDE351
0005975728	CSM Columbus (IN) License Sub, LLC	WirelessCo, L.P.	WQDE349
0005975735	CSM New Castle License Sub, LLC	WirelessCo, L.P.	WQDE352
0005975768	Cleveland Unlimited License Sub, LLC	SprintCom, Inc.	KNLF523
0005975784	Cleveland Unlimited License Sub, LLC	WirelessCo, L.P.	KNLF528

III. EX PARTE STATUS OF THIS PROCEEDING

Pursuant to section 1.1200(a) of the Commission's rules,⁴ 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.⁵

Parties making oral *ex parte* presentations are directed to the Commission's *ex parte* rules. Parties are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁶ More than a one- or two-sentence description of the views and arguments presented is generally required.⁷ Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well.⁸

IV. GENERAL INFORMATION

The assignment applications 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.

⁴ 47 C.F.R. § 1.1200(a).

⁵ 47 C.F.R. § 1.1206.

⁶ See 47 C.F.R. § 1.1206(b)(1).

⁷ See *id.*

⁸ 47 C.F.R. § 1.1206(b).

Interested parties must file petitions to deny no later than **December 2, 2013**. 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 **December 12, 2013**. Replies to such pleadings must be filed no later than **December 19, 2013**. All filings concerning matters referenced in this Public Notice should refer to ULS File Nos. 0005975694, 0005975701, 0005975705, 0005975712, 0005975715, 0005975721, 0005975728, 0005975735, 0005975768, and/or 0005975784, 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 their initial filings. New issues may not be raised in responses or replies.⁹ 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,¹⁰ 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.
- **To file 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) Scott Patrick, Mobility Division, Wireless Telecommunications Bureau, at scott.patrick@fcc.gov or (202) 418-7447 (facsimile); (3) Kate 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).

⁹ See 47 C.F.R. § 1.45(c).

¹⁰ See FCC Announces Change in Filing Location for Paper Documents, *Public Notice*, 24 FCC Red 14312 (2009).

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

For further information, contact Scott Patrick, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2853, or Kate Mataves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at (202) 391-6272.

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