



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 14-1805
Released: December 10, 2014

AT&T INC. AND UNITED STATES CELLULAR CORPORATION SEEK FCC CONSENT TO THE ASSIGNMENT AND EXCHANGE OF BROADBAND PERSONAL COMMUNICATIONS SERVICE LICENSES

ULS File Nos. 0006484129, 0006484162, 0006484152, 0006484158, 0006484160, 0006484164, 0006484165, 0006484177, 0006484192, and 0006484196

PLEADING CYCLE ESTABLISHED

Petitions to Deny Due: January 5, 2015
Oppositions Due: January 15, 2015
Replies Due: January 23, 2015

I. INTRODUCTION

AT&T Inc., through its indirect and wholly-owned subsidiaries New Cingular Wireless PCS, LLC, AT&T Mobility Spectrum LLC, and Cricket License Company, LLC (collectively, “AT&T”) and United States Cellular Corporation (“U.S. Cellular,” and together with AT&T, the “Applicants”) have filed applications pursuant to section 310(d) of the Communications Act of 1934, as amended,¹ seeking the simultaneous assignment and exchange of Broadband Personal Communications Service (“PCS”) licenses by and among AT&T and certain subsidiaries of U.S. Cellular.² The subject licenses cover geographic areas throughout the United States. The proposed transaction involves the transfer of spectrum; no customers or networks would be transferred.

The proposed transaction implicates inter-market exchanges of spectrum. The Applicants claim that the proposed transaction would provide AT&T with additional spectrum that would enable it to increase its system capacity to enhance existing services, better accommodate its overall growth, and facilitate the provision of additional products and services. The Applicants further assert that the proposed transaction would enable U.S. Cellular to carry out its current business and operational plans while divesting spectrum that is not strategic to its long term success.

Preliminary review of the applications indicates that the spectrum implicated by the proposed transaction covers 122 counties in all or parts of 39 Cellular Market Areas (“CMAs”) geographically dispersed throughout the United States. AT&T would receive 10 to 20 megahertz of Broadband PCS spectrum in 104 counties covering all or parts of 32 CMAs. U.S. Cellular would receive 10 to 15

¹ 47 U.S.C. § 310(d).

² The following U.S. Cellular subsidiaries are involved in this transaction: Carroll Wireless, LP; United States Cellular Operating Company LLC; United States Cellular Operating Company of Chicago, LLC; USCOC of Central Illinois, LLC; and USCOC of Greater Missouri, LLC.

megahertz of Broadband PCS spectrum in 18 counties covering all or parts of seven CMAs. As a result of the proposed inter-market exchanges, AT&T would hold 76 to 185 megahertz of spectrum in total, and U.S. Cellular would hold 34 to 91 megahertz of spectrum in total, post-transaction, in the counties implicated by the proposed transaction.

II. SECTION 310(d) APPLICATIONS

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

<u>File No.</u>	<u>Licensee/Assignor</u>	<u>Assignee</u>	<u>Lead Call Sign</u>
0006484129 ³	New Cingular Wireless PCS, LLC	USCOC of Central Illinois, LLC	KNLNF899
0006484162	Cricket License Company, LLC	United States Cellular Operating Company LLC	WPOK604
0006484152	United States Cellular Operating Company of Chicago, LLC	Cricket License Company, LLC	WQKQ530
0006484158	United States Cellular Operating Company LLC	Cricket License Company, LLC	WPYI603
0006484160	USCOC of Central Illinois, LLC	New Cingular Wireless PCS, LLC	KNLNG867
0006484164	Carroll Wireless, LP	AT&T Mobility Spectrum LLC	WQEE468
0006484165	USCOC of Greater Missouri, LLC	AT&T Mobility Spectrum LLC	WPYI604
0006484177	USCOC of Greater Missouri, LLC	AT&T Mobility Spectrum LLC	KNLNG396
0006484192	United States Cellular Operating Company LLC	AT&T Mobility Spectrum LLC	WPYI875
0006484196	USCOC of Central Illinois, LLC	AT&T Mobility Spectrum LLC	KNLNG646

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

³ The Applicants have designated ULS File No. 0006484129 as the lead application.

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).

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.

Interested parties must file petitions to deny no later than **January 5, 2015**. 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 **January 15, 2015**. Replies to such pleadings must be filed no later than **January 23, 2015**. All filings concerning matters referenced in this Public Notice should refer to ULS File Nos. 0006484129, 0006484162, 0006484152, 0006484158, 0006484160, 0006484164, 0006484165, 0006484177, 0006484192, and/or 0006484196, 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.

⁷ See *id.*

⁸ 47 C.F.R. § 1.1206(b).

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).

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) Linda Ray, Broadband Division, Wireless Telecommunications Bureau, at linda.ray@fcc.gov or (202) 418-7247 (facsimile); (4) Kate Mataves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at catherine.matraves@fcc.gov or (202) 418-7447 (facsimile); and (5) 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 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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