

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Applications of TeleCorp PCS, Inc.,)	WT Docket No. 00-130
Tritel, Inc. and Indus, Inc. Seeking FCC)	DA 00-1589
Consent to Transfer Control of, or Assign)	
Broadband PCS and LMDS Licenses)	

REPLY COMMENTS OF ALPINE PCS, INC.

Pursuant to FCC Public Notice DA 00-1589 and Sections 1.939 and 1.2108 of the FCC’s rules, Alpine PCS, Inc. (“Alpine”)¹ files this brief reply in support of the “Comments on or, in the Alternative, Petition to Deny of Nextel Communications, Inc.” (“Nextel”), filed on August 16, 2000 in the captioned proceeding. In its Comments, Nextel requests that the Commission take a close look at both the present and post-merger structure of the combining companies, which is described in the captioned transfer and assignment applications filed with the Commission as a result of the merger agreement between TeleCorp PCS, Inc (“TeleCorp”) and Tritel, Inc. (“Tritel”) (collectively, the “parties”). Specifically, Nextel suggests that based on the facts presented, the parties have not demonstrated that the restructured TeleCorp would continue to qualify as a designated entity (“DE”) under the FCC’s rules.

Alpine supports Nextel’s request for additional information about, and further review of, the proposed merger. In its Comments, Nextel raises some serious questions about the proposed

¹ Alpine is a qualified as a very small business C, E, and F Block PCS licensee, holding a total of 12 broadband PCS licenses in California (Santa Barbara, San Luis Obispo, Monterey, Bakersfield, and Fresno), Massachusetts (Hyannis), and Michigan (six PCS licenses in the Upper and Lower Peninsulas). Because Alpine participated in, and bid against TeleCorp in certain C and F block auctions, and due to an overlapping market between Alpine’s and TeleCorp’s license holdings (Hyannis), Alpine is a party in interest under Section 1.939 of the FCC’s rules.

merger that, if borne out, would mean that the restructured TeleCorp would not comply with the FCC's remaining DE rules, and hence, at a minimum, TeleCorp would not be entitled to retain certain DE program preferences. In light of the Commission's very recent decision to emasculate its DE program for any remaining DE auctions,² Alpine encourages the Commission to demand strict compliance with its remaining DE rules, and not tolerate attempts to further undermine the FCC's DE program by allowing parties to skirt the DE rules. Further, Alpine continues to oppose the FCC's gradual and systematic unraveling of its broadband PCS DE program, regardless of how it occurs - whether it is by a perfunctory review of a proposed DE merger, or by a rushed rule making to amend existing FCC rules in order to benefit a handful of huge, multi-national wireless service providers.

The pool of designated entity spectrum that remains available for acquisition by legitimate designated entities is rapidly disappearing. As a result, true small business DEs such as Alpine have a vested, indeed critical, interest in ensuring that that only legitimate small business DEs continue to benefit under the remnants of the Commission's DE program. In its Comments, Nextel has raised valid questions about TeleCorp's continued ability to qualify as a DE under the FCC's rules, based on inconsistent statements made by the company in public filings with various federal government agencies. Consequently, the Commission should closely examine the proposed merger, and require the parties to submit such additional information as necessary, in order to ensure no further affront to the FCC's designated entity program.

² See FCC News Release, "FCC Revises Rules For Upcoming C and F Block Auction: Action Preserves Opportunities For Small Businesses and Promotes The Rapid Deployment of Wireless Services", released August 25, 2000. Despite the FCC's characterization of its recently approved rule revision, Alpine disputes the FCC's contention that the revised rules preserve any meaningful opportunities for legitimate small PCS businesses.

Respectfully submitted,
ALPINE PCS, INC.

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August 28, 2000

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Reply Comments of Alpine PCS, Inc." was sent by hand delivery this 28th day of August, 2000, or via U.S. mail where indicated, to the following:

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