

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

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

**REPLY COMMENTS OF LEACO RURAL TELEPHONE COOPERATIVE, INC. AND  
COMANCHE COUNTY TELEPHONE COMPANY, INC. IN SUPPORT OF  
COMMENTS ON OR, IN THE ALTERNATIVE PETITION TO DENY OF  
NEXTEL COMMUNICATIONS, INC.**

Leaco Rural Telephone Cooperative, Inc. (“Leaco”) and Comanche County Telephone Company, Inc. (“Comanche”) (collectively “Petitioners”), by their attorneys and pursuant to 309 (d) of the Communications Act of 1934, as amended (the “Act”) and Federal Communications Commission (“FCC” or “Commission”) *Public Notice* DA 00-1589, released July 17, 2000, hereby support the comments filed by Nextel Communications, Inc. (“Nextel”) on August 16, 2000 in connection with the proposed merger of TeleCorp PCS, Inc. (“TeleCorp”) and Tritel, Inc. (“Tritel”) in the above-captioned matter. *See*, Comments on or, in the Alternative, Petition to Deny of Nextel Communications, Inc. (“Nextel Comments/Petition”). Nextel raises serious questions regarding the eligibility of TeleCorp, its affiliates and the proposed merged entity to hold C and F block Personal Communication Services (“PCS”) licenses.

Nextel argues, *inter alia*, that TeleCorp’s assets may currently exceed the applicable \$500 million cap and that TeleCorp and/or the new merged entity may fail to satisfy the control group minimum equity requirements of 24.709 (b) (5) of the Commission’s Rules. *See* Nextel Comments/Petition pp. 2-5. Nextel also argues that TeleCorp and Tritel have failed to

demonstrate that the new merged entity qualifies to acquire C and F block licenses pursuant to ? 24.839 (a) (2) either on its own pursuant to ? 24.709 or as a proposed assignee that currently holds other C or F block licenses. *See* Nextel Comments/Petition n. 17 and accompanying text.

Nextel raises serious concerns that the Commission must resolve. Petitioners also raised many of these concerns in three recently filed petitions to deny (“Petitions”) applications seeking FCC consent to assign or transfer various C and F block licenses to TeleCorp’s affiliates, Southwest Wireless, L.L.C. (“Southwest”) and Royal Wireless, L.L.C. (“Royal”) (collectively “Assignees”). *See* File Nos. 0000178796, 0000177844, 0000178897, 0000179413, 0000163408, 0000163410. Among other things, Petitioners challenge Assignees’ eligibility to acquire C and F block licenses pursuant to ? 24.839 (a) (2) because Assignees neither qualify as entrepreneurs pursuant to ? 24.709 nor hold other C or F block licenses.

Petitioners believe that the arguments contained in the Petitions regarding the scope of ? 24.839 (a) (2) and Assignees’ failure to qualify as entrepreneurs are relevant to the issues under consideration in this docket. Accordingly, Petitioners are attaching the Petitions to these Reply Comments for inclusion in the record. Petitioners also note that because Assignees’ alleged eligibility to acquire C and F block licenses is based on their affiliates’ ownership of other C and F block licenses, the Commission’s resolution of the matters raised by Nextel may fundamentally affect the Commission’s ruling on the petitioned applications. In the event that TeleCorp and its affiliates are not currently eligible to hold C and F block licenses, the Assignees have no basis for seeking assignment of the licenses. Accordingly, Petitioners intend to request that the Commission delay ruling on the petitioned applications until the Commission resolves the issues raised by Nextel in this proceeding.

For the reasons set forth above and in the Petitions, Petitioners hereby support the comments of Nextel and request that the FCC resolve the matters raised therein.

Respectfully Submitted

**LEACO RURAL TELEPHONE  
COOPERATIVE, INC.**

**COMANCHE COUNTY TELEPHONE  
COMPANY, INC.**

By: \_\_\_\_\_/s/\_\_\_\_\_

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Dated: August 28, 2000

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing “Reply Comments of Leaco Rural Telephone Cooperative, Inc. and Comanche County Telephone Company, Inc. in Support of Comments on or, in the Alternative Petition to Deny of Nextel Communications, Inc” was sent by hand delivery this 28<sup>th</sup> Day of August, 2000, or via U.S. mail where indicated, to the following:

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