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Memo to IB Docket No. 00-187

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Federal Communications Commission
Office of Secretary

On December 1, 2000, the Commission staff identified below conducted a telephone discussion with Al Mattur and Greg Elias, staff of the Senate Committee on Commerce, Science and Transportation. The discussion concerned certain matters raised in a letter dated November 30, 2000 from Senator Hollings to Chairman Kennard raising questions with respect to the participation of VoiceStream in an upcoming auction. Commission staff Kathleen Ham OBrien explained that the auction procedure provides a post-auction opportunity to rule on such questions. The Commission has previously resolved other foreign ownership determinations as part of this post-auction licensing process. Thus, if VoiceStream successfully becomes a winning bidder for a license in the upcoming auction 35, the Commission will, as part of its long form application review, carefully examine its ownership, as it does all such applications, to reach a finding of whether it is in compliance with our rules. In addition, Commission staff Ari Fitzgerald and Jackie Ruff described Commission precedent with respect to approval of foreign ownership pursuant to section 310(b)(4) of the Communications Act and provided Messrs. Mattur and Elias with citations in rulings with respect to the foreign ownership of VoiceStream.

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