



# PUBLIC NOTICE

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**DA 00-104**

**Released: January 19, 2000**

## **COMMISSION SEEKS COMMENT ON JOINT APPLICATIONS FOR CONSENT TO TRANSFER CONTROL FILED BY MCI WORLDCOM, INC. AND SPRINT CORPORATION**

**CC DOCKET NO. 99-333**

**Petitions/Comments due: February 18, 2000**

**Oppositions/Responses due: March 20, 2000**

On November 17, 1999, MCI WorldCom, Inc. (MCI WorldCom) and Sprint Corporation (Sprint) filed joint applications under Sections 214 and 310(d) of the Communications Act, 47 U.S.C. §§ 214 and 310(d), requesting Commission approval of the transfer of control to MCI WorldCom of licenses and authorizations controlled or requested by Sprint or its affiliates or subsidiaries. This transfer of control would take place as the result of a proposed merger agreement whereby Sprint will be merged with and into MCI WorldCom. Upon merger closing, the separate corporate existence of Sprint will cease to exist and the present wholly-owned subsidiaries of Sprint that hold Section 214 authorizations, cable landing licenses and/or radio licenses will become wholly-owned subsidiaries of the merged company, which will be named WorldCom.

MCI WorldCom and Sprint submit that the proposed merger is likely to produce benefits in the markets for local and long distance, voice and data, narrowband and broadband, and wireline and wireless services. They further assert that the proposed merger will serve the public interest and will not produce anti-competitive effects in any telecommunications market. Moreover, MCI WorldCom and Sprint state that they will work cooperatively with policymakers to address and resolve possible concerns regarding Sprint's Internet backbone business.<sup>1</sup> Interested parties may file comments regarding or petitions to deny the applications no later than

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<sup>1</sup> See Letter from A. Richard Metzger, Jr., Lawler, Metzger, Milkman, LLC, Counsel for MCI WorldCom, and Sue D. Blumenfeld, Willkie Farr & Gallagher, Counsel for Sprint, to Magalie Roman Salas, Secretary, FCC (dated Jan. 14, 2000).

**February 18, 2000.** Oppositions or responses to these comments and petitions may be filed no later than **March 20, 2000.**<sup>2</sup> For administrative convenience, the various applications listed below have been consolidated into one general docket. All filings regarding any aspect of the proposed merger should reference the Common Carrier docket assigned to this proceeding, CC Docket No. 99-333.

## **1. EX PARTE STATUS OF THIS PROCEEDING**

As described in a Public Notice issued January 12<sup>th</sup>, because this proceeding involves broad public policy issues, this proceeding will be treated as "permit-but-disclose" for purposes of the Commission's *ex parte* rules.<sup>3</sup>

## **2. TRANSFER OF CONTROL APPLICATIONS**

The applications for transfer of control of Sprint's authorizations and licenses to MCI WorldCom include numerous Title II and Title III authorizations, licenses, certificates, and pending applications. Below is a non-exhaustive list of the types of authorizations and licenses involved in this transaction. They are separated by type of authorization and license, and, within each category, by the Sprint subsidiary or affiliate that holds the authorization or license. Each Sprint subsidiary or affiliate may hold multiple authorizations or licenses of a particular type. Interested parties should refer to the transfer of control applications for a complete listing of the authorizations or licenses.

## **SECTION 310 APPLICATIONS**

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<sup>2</sup> The Applicants have informally requested that, due to the complexity of the issues in the instant proceeding and the anticipated number of public comments, they be given 30 days to file reply comments. The Commission is currently in the process of examining and improving its processes for promptly reviewing applications for transfers of licenses and authority related to complex transactions such as this one. *See* FCC Implements Predictable, Transparent and Streamlined Merger Review Process, Public Notice (rel. Jan. 12, 2000). Although the time for responses to comments filed within 30 days of the public notice might normally need to be less than 30 days (since the Applicants should be able to anticipate most issues and have discretion as to when to file their application), Applicants' request is granted without the filing of a formal motion in this case because no standard time limit has previously been announced, because Applicants have acknowledged the complexity of this transaction, and because the application, with the exception of the portion addressing the Internet services of the merging parties, has been widely announced in the press and publicly available for an extended period prior to this public notice.

<sup>3</sup> MCI WorldCom/Sprint License Transfer Proceeding Designated as Permit-But-Disclose, Public Notice, DA 00-55 (rel. Jan. 12, 2000); *see generally* 47 C.F.R. §§ 1.1200-1.1216. An *ex parte* presentation is any communications (spoken or written) directed to the merits or outcome of a proceeding made to a Commissioner, a Commissioner's assistant, or other decision-making staff member, that, if written, is not served on other parties to the proceeding or, if oral, is made without opportunity for all parties to be present. *See* 47 C.F.R. § 1.1201.

## Part 21 -- Multichannel Multipoint Distribution Service (MMDS)

An application for consent to transfer control of Multichannel Multipoint Distribution Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom has been assigned **File No. BMDTC-19991117ZG**. Licensee and call sign information is listed below; however, interested parties should refer to the transfer of control applications for information as to specific markets and locations involved.

<u>Licensee</u>	<u>Call Sign(s)</u>
Alda Gold, Inc.	KNSD251 (Lead)
Alda Tucson, Inc.	WMH229 (Lead)
Alda Wireless Holdings, Inc.	KEW74 (Lead)
American Telecasting Development Inc.	KNSC299 (Lead)
American Telecasting Inc.	WKR65
American Telecasting of Anchorage	WMX713
American Telecasting of Bend, Inc.	WHK953 (Lead)
American Telecasting of Bismarck, Inc.	KNSC232 (Lead)
American Telecasting of Cincinnati, Inc.	KNSC851 (Lead)
American Telecasting of Colorado Springs, Inc.	WNTG791 (Lead)
American Telecasting of Columbus, Inc.	WHT669 (Lead)
American Telecasting of Denver, Inc.	WLK321 (Lead)
American Telecasting of Ft. Collins, Inc.	KNSC392 (Lead)
American Telecasting of Green Bay	WMH660 (Lead)
American Telecasting of Hawaii, Inc.	KNSC352 (Lead)
American Telecasting of Jackson, Inc.	WMH517 (Lead)
American Telecasting of Lansing, Inc.	KNSC356 (Lead)
American Telecasting of Lincoln, Inc.	KNSC369 (Lead)
American Telecasting of Little Rock, Inc.	WHT723 (Lead)
American Telecasting of Medford, Inc.	KNSC239 (Lead)
American Telecasting of Michiana, Inc.	KNSC421 (Lead)
American Telecasting of Minnesota, Inc.	WLW989 (Lead)
American Telecasting of Monterey, Inc.	KNSC869 (Lead)
American Telecasting of Nebraska, Inc.	WMH765 (Lead)
American Telecasting of Oklahoma, Inc.	WNEX724 (Lead)
American Telecasting of Portland, Inc.	KNSC240 (Lead)
American Telecasting of Redding, Inc.	KNSC271 (Lead)
American Telecasting of Salem/Eugene, Inc.	WMI302 (Lead)
American Telecasting of Seattle, Inc.	WMI902
American Telecasting of Sheridan, Inc.	WLW820 (Lead)
American Telecasting of South Dakota, Inc.	KNSC243 (Lead)
American Telecasting of Toledo, Inc.	WHT742 (Lead)
American Telecasting of Youngstown, Inc.	KNSC289 (Lead)
American Telecasting of Yuba City, Inc.	WMH381 (Lead)
Bay Area Cablevision, Inc.	KFF81 (Lead)
FMA Licensee Subsidiary, Inc.	KNSC262 (Lead)

Kennewick Licensing, LLC	KNSC849 (Lead)
PCTV Gold, Inc.	KNSC616 (Lead)
Super Channels of Las Vegas, Inc.	(BTA holder only)
TTI Acquisition Corp.	WLW738
Videotron (Bay Area), Inc.	WHT700
WBSB Licensing Corp.	WHT797 (Lead)
WBSCB Licensing Corp.	KNSC914 (Lead)
WBSE Licensing Corp.	KNSC681 (Lead)
WBSFP Licensing Corp.	WLK308 (Lead)
WBSH Licensing Corp.	KNSC689 (Lead)
WBSK Licensing Corp.	KNSC717 (Lead)
WBSM Licensing Corp.	KNSC679 (Lead)
WBSR Licensing Corp.	KNSC703 (Lead)
WBSS Licensing Corp.	WHT689 (Lead)
WBSWP Licensing Corp.	KNSD317 (Lead)
WBSY Licensing Corp.	WKR57 (Lead)
Wireless Broadband Services of America, LLC	KNSC509 (Lead)

**Part 22 -- Paging and Radiotelephone Service**

The following applications for consent to transfer control of Paging and Radiotelephone Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
0000047519	Carolina Telephone & Telegraph Company	KDS725 (Lead)
0000047517	Central Telephone Company	KKB443 (Lead)
0000047520	Central Telephone Company of Virginia	KNKM809 (Lead)
0000047523	Sprint Florida Inc.	KPD944 (Lead)
0000047524	United Telephone Company of The Carolinas, Inc.	KPD973 (Lead)
0000047862	United Telephone Company of The Southeast	KNKB824 (Lead)

**Part 22 --Rural Radiotelephone Service**

The following applications for consent to transfer control of Rural Radiotelephone Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
0000047517	Central Telephone Company	KNKP203 (Lead)
0000048319	United Telephone Company of the Northwest	KNKO218

**Part 24 -- Personal Communications Services (PCS)**

The following applications for consent to transfer control of Personal Communications Services authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
0000049089	APC PCS, LLC	KNLF200
0000048962	Cox PCS License, L.L.C.	KNLF201
0000049005	Phillieco, L.P.	KNLF219
0000048991	SprintCom, Inc.	KNLF294 (Lead)
0000049051	Wirelessco, L.P.	KNLF204 (Lead)

**Part 25 -- Domestic Fixed Satellite Service**

The following applications for consent to transfer control of Domestic Fixed Satellite Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
SES-T/C-1999117-02175	Iridium, U.S., L.P.	E960131 (Lead)
SES-T/C-1999117-01276	Sprint Communications Company L.P.	KA231 (Lead)
SES-T/C-1999117-02147	US Sprint Communications Company L.P.	E6777 (Lead)

**Part 73 -- Low Power TV Authorizations**

The following applications for consent to transfer control of Low Power TV authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
BTCTTL-19991117AAW	WBSFP Licensing Corp.	W46CI
BTCTTL-19991117AAV	Wireless Broadband Services of America, LLC	W26BN(Lead)

**Part 78 -- Cable Television Relay Service (CARS)**

The following applications for consent to transfer control of Cable Television Relay Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
CAR-50487-09	Alda Gold, Inc.	WLY-500

CAR-50488-09	Alda Gold, Inc.	WLY-607
CAR-50489-09	Alda Tucson, Inc.	WLY-486
CAR-50490-09	American Telecasting of Anchorage, Inc.	WLY-498
CAR-50491-09	American Telecasting of Bend, Inc.	WLY-657
CAR-50492-09	American Telecasting of Colorado Springs, Inc.	WLY-611
CAR-50493-09	American Telecasting of Columbus, Inc.	WLY-444
CAR-50482-09	American Telecasting of Denver, Inc.	WLY-618
CAR-50514-09	American Telecasting of Medford, Inc.	WLY-583
CAR-50503-09	American Telecasting of Oklahoma, Inc.	WLY-295
CAR-50504-09	American Telecasting of Oklahoma, Inc.	WLY-490
CAR-50483-09	American Telecasting of Portland, Inc.	WLY-527
CAR-50484-09	American Telecasting of Portland, Inc.	WLY-528
CAR-50500-09	American Telecasting of Yuba City, Inc.	WLY-473
CAR-50501-09	American Telecasting of Yuba City, Inc.	WLY-432
CAR-50502-09	American Telecasting of Yuba City, Inc.	WLY-603
CAR-50499-09	FMA Licensee Subsidiary, Inc.	WLY-574
CAR-50496-09	Fresno MMDS Associates	WLY-635
CAR-50497-09	Fresno MMDS Associates	WLY-404
CAR-50498-09	Fresno MMDS Associates	WLY-406
CAR-50494-09	Videotron (Bay Area), Inc.	WLY-480
CAR-50495-09	Videotron (Bay Area), Inc.	WLY-503
CAR-50485-09	WBSFP Licensing Corporation	WLY-410
CAR-50486-09	WBSFP Licensing Corporation	WLY-371

**Part 90 -- Business Radio Service**

The following applications for consent to transfer control of Business Radio Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been filed. No specific file number for the transfer of control will be assigned.

<u>Licensee</u>	<u>Call Sign(s)</u>
American Telecasting of Minnesota, Inc.	WNUT894 (Lead)
American Telecasting of Monterey, Inc.	WPGB250 (Lead)
American Telecasting of Oklahoma, Inc.	WPBG906
Carolina Telephone & Telegraph Company	KD53122 (Lead)
Central Telephone Company	KNAB841 (Lead)
Central Telephone Company of Illinois	WPLU407
Central Telephone Company of Texas	KKT772
Central Telephone Company of Virginia	KZT930
Sprint Communications Company L.P.	WNMG712 (Lead)
Sprint Florida Inc.	KCV977
Sprint Minnesota Inc.	KVB688 (Lead)
Sprint Missouri Inc.	KZH746 (Lead)
Sprint Spectrum, L.P.	WPJY401 (Lead)
United Telephone Co. of Indiana Inc.	KUR931 (Lead)

United Telephone Co. of Kansas, Inc.	WNYU738 (Lead)
United Telephone Co. of New Jersey Inc.	KYB413 (Lead)
United Telephone Co. of Ohio	KSQ616 (Lead)
United Telephone Co. of Texas Inc.	KE5379
United Telephone Co. of The Northwest	WNUY855 (Lead)
United Telephone Company of Pennsylvania	WPNQ315 (Lead)
United Telephone Company of The Carolinas	WPKR358 (Lead)
United Telephone Company of The West	KNGS443 (Lead)

**Part 101 -- Common Carrier Fixed Point-to-Point Microwave Service**

The following applications for consent to transfer control of Common Carrier Fixed Point-to-Point Microwave Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
0000047519	Carolina Telephone And Telegraph Company	KJG97 (Lead)
0000047517	Central Telephone Company	KKB443 (Lead)
0000048015	Central Telephone Company of Texas Inc.	KRR53 (Lead)
0000047869	U.S. Sprint Communications Company L.P.	WHO898 (Lead)
0000047523	Sprint Florida Inc.	KIB95 (Lead)
0000048315	Sprint Missouri Inc.	KVI22 (Lead)
0000048564	Sprint Spectrum, L.P.	WPNG903 (Lead)
0000048554 <sup>4</sup>	Sprint United Midwest	WBP30 (Lead)
0000049083	Superchannels of Las Vegas, Inc.	WPNB411
0000048959	United Telephone Company of Eastern Kansas	WMM676 (Lead)
0000049417	United Telephone Company of Indiana, Inc.	KSI60 (Lead)
0000048320	United Telephone Company of Kansas	WCU289 (Lead)
0000048555	United Telephone Company of Ohio	KQH49 (Lead)
0000047524	United Telephone Company of The Carolinas Inc.	KIC29 (Lead)
0000048319	United Telephone Company of The Northwest	KOP51 (Lead)
0000048321	United Telephone Company of The West	KAB87 (Lead)
0000047862	United Telephone Southeast Inc.	KJH26 (Lead)

**Part 101 -- Private Operational Fixed Point-to-Point Microwave Service**

The following applications for consent to transfer control of Private Operational Fixed Point-to-Point Microwave Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
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<sup>4</sup> There appears to be conflicting information as to the licensee name for these authorizations in the Commission's database. The Applicants are working with Commission staff to resolve these discrepancies.

0000047872	Alda Gold, Inc.	WNTW338 (Lead)
0000047875	American Telecasting of Bend, Inc.	WPNI668 (Lead)
0000047877	American Telecasting of Colorado Springs, Inc.	WPNH453 (Lead)
0000047528	American Telecasting of Ft. Collins, Inc.	WPOP365 (Lead)
0000047530	American Telecasting of Medford, Inc.	WPNI667 (Lead)
0000048583	American Telecasting of Portland, Inc.	WPNI669 (Lead)
0000047868	Preferred Entertainment, Inc.	WPJA878 (Lead)
0000047526	WBS Idaho, LLC	WPOT568 (Lead)
0000047863	WBSB Licensing Corp.	WPJA304 (Lead)
0000047525	Wireless Broadband Services of America, LLC	WPOP325 (Lead)

**Part 101 -- Local Multipoint Distribution Service (LMDS)**

The following applications for consent to transfer control of Local Multipoint Distribution Service authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom have been assigned the file numbers below.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign(s)</u>
0000047870	American Telecasting Development, Inc.	WPOH477 (Lead)
0000048322	PCTV Gold, Inc.	WPOH665 (Lead)

**SECTION 214 APPLICATION**

The following application for consent to transfer control of all international Section 214 authorizations or interests in such authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom has been assigned the following file number.

<u>File No.</u>	<u>Licensee</u>
ITC-T/C-19991117-00772	Sprint Communications Company L.P. APC PCS, LLC Consortium Communications International, Inc. Iridium U.S., L.P.

**CABLE LANDING LICENSE ACT APPLICATION**

The following application for consent to transfer control of Cable Landing License Act authorizations or interests in such authorizations held by affiliates or subsidiaries of Sprint from Sprint to MCI WorldCom has been assigned the file number below.

<u>File No.</u>	<u>Licensee</u>
SCL-T/C-1999-1117-00024	Sprint Communications Company L.P.



### **3. SECTION 212 REQUEST**

Pursuant to Section 212 of the Communications Act, 47 U.S.C. § 212, and Part 62 of the Commission's Rules, 47 C.F.R. §§ 62.1-62.26, MCI WorldCom requests that, upon Commission approval of and subsequent consummation of the proposed merger between MCI WorldCom and Sprint, the Commission declare that MCI WorldCom's subsidiaries will be "commonly owned carriers" within the meaning of Section 62.2 of the Commission's Rules. MCI WorldCom states that grant of this request would serve as a blanket authorization for the merged company and its subsidiaries to have and maintain common officers and directors without further prior application to the Commission.

### **4. REQUEST FOR EXEMPTION**

Under 47 C.F.R. §§ 22.123(a), 24.423(g)(3), 24.823(g)(3), 25.116(b)(3), 90.164(b), and 101.29(c)(4), Applicants have requested a blanket exemption from cut-off rules that may apply to applications under Parts 22, 24, 25, 90 and 101.

### **5. GENERAL INFORMATION**

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.

Final action will not be taken on the applications earlier than 31 days following the date of this Notice. Interested parties may file pleadings as indicated above regarding the applications. An original and 4 copies of all pleadings, in accordance with Section 1.51(c) of the Commission's Rules, 47 C.F.R. §1.51(c) must be filed with the Commission's Secretary, Magalie Roman Salas, 445 Twelfth Street, S.W., TW-A325, Washington, D.C. 20554. In addition, copies of each pleading must be filed with other offices in the following manner: (1) one copy with International Transcription Service, Inc., the Commission's duplicating contractor, 445 12<sup>th</sup> Street, S.W., CY-B402, Washington, D.C. 20554, telephone (202) 857-3800; (2) one copy with Lauren Kravetz, Wireless Telecommunications Bureau, 445 12<sup>th</sup> Street, S.W., Room 4-A163; (3) six copies with Christopher Libertelli, Common Carrier Bureau, 445 12<sup>th</sup> Street, S.W., Room 5-C234; (4) one copy with Matthew Vitale, International Bureau, 445 12<sup>th</sup> Street, S.W., Room 6-A821; and (5) one copy with Jim Bird, Office of General Counsel, 445 12<sup>th</sup> Street, S.W., Room 8-C818.

In addition to filing paper comments, parties may also file comments using the Commission's Electronic Comment Filing System (ECFS). *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24,121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments,

commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address." A sample form and directions will be sent in reply.

Copies of the applications and any subsequently filed documents in this matter may be obtained from International Transcription Service, Inc., 445 12<sup>th</sup> Street, S.W., CY-B402, Washington, D.C. 20554, telephone (202) 857-3800. Electronic versions of the applications will also be available on the FCC's Internet Home Page (<http://www.fcc.gov>), and through the Commission's Electronic Comment Filing System. To the extent that parties file electronic versions of responsive pleadings, such filings also will be available on the FCC's Internet Home Page and through the Commission's Electronic Comment Filing System. Copies of the applications and documents are also available for public inspection and copying during normal reference room hours at the Commission's Reference Center, 445 12<sup>th</sup> Street, S.W., CY-A257, Washington, D.C. 20554. In addition, electronic versions of Form 603 for Part 24, Part 22 and Part 101 authorizations have been filed in the Commission's Universal Licensing System.

For further information, contact Christopher Libertelli, Policy and Program Planning Division, Common Carrier Bureau at (202) 418-7152.

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