

Before the  
 Federal Communications Commission  
 Washington, D.C. 20554

In the Matter of	)	
	)	
BELL-CELL-TEL Associates	)	
	)	10112-CL-P-101-B-93
Application to Provide Cellular Radiotelephone	)	
Service in Unserved Areas of Market No. 101-B,	)	
Beaumont, Texas	)	
	)	
	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted:** February 29, 2000

**Released:** March 1, 2000

By the Chief, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau:

1. BELL-CELL-TEL Associates (BCTA) has filed a *Phase I* Unserved Area application to provide Cellular service in the Beaumont, Texas Market. The application was submitted following their winning bid in the auction for that market. In response to the BCTA application, GTE Mobilenet of South Texas L.P. (GTE) and RVC Services, Inc. d/b/a Coastal Communications Co. (Coastal) each filed Petitions to Deny (Petitions) the applications as defective.

2. BCTA’s application shows a proposed service area that would extend beyond the Beaumont-Port Arthur Market and into the Gulf of Mexico Market No. 306. Because such extensions are prohibited by Section 22.949(a)(iii) of the Commission’s rules,<sup>1</sup> the application is defective. We therefore dismiss BCTA’s application.

3. Accordingly, IT IS ORDERED that, pursuant to section 4(i) of the Communications Act as 1934, as amended, 47 USC § 154(i), and section 0.331 of the Commission’s rules, 47 CFR § 0.331, the above captioned Applications filed by BELL-CELL-TEL Associates IS DISMISSED as DEFECTIVE.

4. IT IS FURTHER ORDERED that, pursuant to section 4(i) of the Communications Act as 1934, as amended, 47 USC § 154(i), and section 0.331 of the Commission’s rules, 47 CFR § 0.331, the Petitions to Deny filed by GTE and Coastal are DISMISSED as MOOT.

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<sup>1</sup> 47 CFR § 22.949(a)(iii). Section 22.949(a)(iii) provides that: Phase 1 initial applications must not propose any *de minimus* or contract service area boundary (SAB) extensions.

FEDERAL COMMUNICATIONS COMMISSION

Paul D'Ari  
Chief, Policy and Rules Branch  
Commercial Wireless Division  
Wireless Telecommunications Bureau