



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 00-608

Released: March 17, 2000

COMMISSION SEEKS COMMENT ON ADDITIONAL APPLICATIONS SUBMITTED BY GTE AND BELL ATLANTIC

CC Docket No. 98-184

Petitions/Comments due: April 17, 2000
Oppositions/Responses due: April 27, 2000

On October 2, 1998, Bell Atlantic Corporation or its affiliates or subsidiaries (collectively "Bell Atlantic") and GTE Corporation or its affiliates or subsidiaries (collectively "GTE") 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 Bell Atlantic of licenses and authorizations controlled or requested by GTE to permit consummation of a merger between the companies. The Commission issued a Public Notice on October 8, 1998 accepting the applications for filing.¹ In their applications, Bell Atlantic and GTE stated that the merger would create overlapping interests in a number of wireless markets around the country, and the parties committed to divest one of the properties in each market where an overlap would be created.

On January 27, 2000, Bell Atlantic and GTE submitted to the Commission a supplement to their pending transfer of control applications proposing certain actions on the part of the companies with respect to their wireline businesses. On January 31, 2000, the Commission issued a supplemental Public Notice requesting comment on (1) the overall transaction to refresh the record in this proceeding, and (2) the issues addressed in that supplemental filing.²

On March 1, 2, 8, and 9, 2000, GTE and Bell Atlantic filed several new applications and amendments to the original 1998 applications to update the information on file with the

¹ See Public Notice, *GTE Corporation and Bell Atlantic Corporation Seek FCC Consent for a Proposed Transfer of Control and Commission Seeks Comment on Proposed Protective Order Filed by GTE and Bell Atlantic*, CC Docket No. 98-184 (DA 98-2035) (rel. October 8, 1998). *Id.*

² See Public Notice, *Commission Seeks Comment on Supplemental Filing Submitted by Bell Atlantic Corporation and GTE Corporation*, CC Docket No. 98-184 (DA 00-165) (rel. January 31, 2000).

Commission with respect to GTE's wireless and international licenses and authorizations. These include, for instance, applications for transfer of control from GTE to Bell Atlantic of licenses (or interests in licenses) that GTE acquired from other parties since October of 1998, most notably Ameritech Corp. and the Puerto Rico Telephone Company.³ GTE and Bell Atlantic intend that these applications and amendments be included as part of their application pending before the Commission under this docket for consent to transfer control of GTE's licenses and authorizations to Bell Atlantic.⁴ In these applications, GTE and Bell Atlantic state that the transfers of control will serve the public interest. As basis for this assertion, they reference the reasons set forth in their October 1998 application, the public interest showing made therein, and the supplemental application submitted on January 27, 2000.⁵

This Public Notice is intended to solicit comment only on the applications listed below and does not extend or reopen the comment period initiated in DA 00-165 that began on January 31, 2000 and ended on March 1, 2000.

The licensees and call signs included in these filings are listed below.

SECTION 310 APPLICATIONS

Multipoint Distribution Service (Part 21)

The following Basic Trading Area ("BTA") authorization and MDS station, licensed to an entity controlled by GTE, were inadvertently omitted from the October 8, 1998, Public Notice:

BTA 192 for Honolulu, Hawaii
KNSD250 for Honolulu, Hawaii

³ See *In re Applications of Ameritech Corporation, Transferor, and GTE Consumer Services, Inc., Transferee, for Consent to Transfer of Control of Licenses and Authorizations*, Memorandum Opinion and Order, DA 99-1677, 1999 WL 635,724 (WTB 1999); *In re Applications of Puerto Rico Telephone Authority, Transferor, and GTE Holdings (Puerto Rico) LLC, Transferee*, Memorandum Opinion and Order, 14 FCC Rcd 3122 (1999), *recon.denied*, DA 99-249 (CWD rel. Feb. 17, 2000).

⁴ In addition, GTE and Bell Atlantic recently filed applications with the Commission to divest licenses in a number of markets where the merger would create overlaps of CMRS services. These applications propose a series of transactions with ALLTEL Corporation that would result in GTE controlling new facilities. GTE and Bell Atlantic intend that the facilities that would be acquired from ALLTEL be included as part of the pending application before the Commission under this docket for consent to transfer control of GTE's licenses and authorizations to Bell Atlantic. See *Public Notice*, Bell Atlantic, GTE, and ALLTEL Seek FCC Consent for Assignment and Transfer of Control of Wireless Licenses to Comply with Spectrum Cap Rules and Department of Justice Consent Decree Regarding Pending Applications of Bell Atlantic, GTE, and Vodafone AirTouch, WT Docket No. 00-38 (DA 00-502) (rel. March 3, 2000).

⁵ See Exhibit 1 to each of these applications. In their October 2, 1998 applications, and in their recent applications relating to ALLTEL, Bell Atlantic and GTE have stated that, in merging their operations, they intend to achieve compliance with both the Commission's spectrum cap rules and the December 1999 consent decree with the U.S. Department of Justice (DOJ) and Vodafone AirTouch Plc.

The following MDS signal booster stations, licensed pursuant to 47 C.F.R. § 21.913, to retransmit the signals of an MDS station held by a non-GTE entity, were acquired, by an entity controlled by GTE, subsequent to the October 8, 1998, Public Notice:

WMY434A for Honolulu, Hawaii
WMY434B for Honolulu, Hawaii

The following MDS assignment application, seeking to assign MDS stations to an entity controlled by GTE, was filed subsequent to the October 8, 1998, Public Notice and is currently pending:

BMDAL-20000222AAA: For authority to assign all authorizations for WNTI954 and WNTI201, Honolulu, Hawaii, from Honolulu Cablevision Corporation to GTE Media Ventures, Inc.

Public Mobile Services/Cellular (Part 22)

The following are applications for consent to transfer control, from GTE to Bell Atlantic, of licensees (or interests in licensees) holding authorizations in Part 22 Cellular Radiotelephone Service:

<u>File No.</u>	<u>Licensee and Call Signs</u>
0000090965	GTE Mobilnet of Florence, South Carolina Incorporated (KNKA628)
0000090967	GTE Mobilnet of the Southwest Incorporated (KNKA258, KNKA569)
0000087572	Chicago SMSA Limited Partnership (KNKA200, KNKA269, KNKA495, KNKA549, KNKA594, KNKN603)
0000087575	Illinois RSA 6 & 7 Limited Partnership (KNKN996, KNKN997)
0000087576	Illinois SMSA Limited Partnership (KNKA469, KNKA630, KNKA777, KNKA778, KNKQ278, KNKQ307)
0000087595	CyberTel Cellular Telephone Company (KNKA234)
0000087601	CyberTel RSA Cellular Limited Partnership (KNKN377, KNKN379, KNKN551, KNKN568)
0000090983	Puerto Rico Telephone Company, Inc./Celulares Telefónica, Inc. (KNKA384, KNKA399, KNKA460, KNKA464, KNKA471, KNKN371, KNKN397, KNKN414, KNKN486, KNKN505, KNKN532, KNKN957)
0000092149	Illinois Valley Cellular RSA 2-III Partnership (KNKN581)

0000092244 Bristol Bay Cellular Partnership (KNKQ331)

Public Mobile Services/Paging (Part 22)

The following is an application for consent to transfer control from GTE to Bell Atlantic of interests in licensees holding authorizations in Part 22 Public Mobile Services/Paging:

<u>File No.</u>	<u>Licensee and Call Signs</u>
0000090983	Puerto Rico Telephone Company, Inc./Celulares Telefónica, Inc. (KKB724, KNKC341, KNKC869, KNLW497)

Public Mobile Services/Rural Radio (Part 22)

GTE and Bell Atlantic have filed or amended the following applications for consent to transfer control from GTE to Bell Atlantic of licensees (or interests in licensees) holding authorizations in Part 22 Public Mobile Services/Rural Radio:⁶

<u>File No.</u>	<u>Licensee and Call Signs</u>
0000065300	GTE Hawaiian Telephone Company Incorporated (KNLW640)
9713786	GTE Northwest Incorporated (KNLW653)
0000090983	Puerto Rico Telephone Company, Inc. (WAF797, WBB821, WBB823, WOG21)

Personal Communications Services (Part 24)

The following is an application for consent to transfer control, from GTE to Bell Atlantic, of interests in a licensee holding authorizations in Part 24 Personal Communications Services:

<u>File No.</u>	<u>Licensee and Call Signs</u>
0000090983	Puerto Rico Telephone Company, Inc./Celulares Telefónica, Inc. (KNLG211, KNLH423)

⁶ GTE also has pending several requests for reinstatement of Part 22/Rural Radio authorizations. Applications to transfer control to Bell Atlantic of any reinstated Part 22/Rural Radio licenses that are granted to GTE or its subsidiaries during the pendency of the applications for the overall Bell Atlantic – GTE transaction will appear on the regular Wireless Telecommunications Bureau public notice cycle

Satellite Communications (Part 25)

GTE and Bell Atlantic have filed or amended applications for consent to transfer control from GTE to Bell Atlantic of interests in licensees holding the following Part 25 Satellite Communications authorizations.

<u>File No.</u>	<u>Licensee</u>	<u>Call Sign</u>
SES-T/C-19981002-02164	GTE Government Systems Corporation	E880957 (Lead)
SES-T/C-19981002-02165	GTE Telecom Incorporated	E880472 (Lead)
SES-T/C-19981002-02166	GTE Pacifica Incorporated	KA256 (Lead)
SES-T/C-19981002-02167	GTE Hawaiian Tel International Incorporated	KA278 (Lead)
SES-T/C-20000308-00320	Contel Federal Systems, Inc.	E860234 (Lead)
SES-T/C-20000308-00324	GTE Florida Incorporated	E950345 (Lead)
SES-T/C-20000308-00325	GTE California Incorporated	E960189
SES-T/C-20000308-00326	Puerto Rico Telephone Company/ Celulares Telefónica, Inc.	E970101

Instructional Television Fixed Service (Part 74)

The following pending signal booster applications, filed pursuant to 47 C.F.R. § 74.985, by an entity controlled by GTE seeking consent to retransmit the signals of ITFS stations held by non-GTE licensees, were inadvertently omitted from the October 8, 1998, Public Notice:

BPIF-19980202DH for Honolulu, Hawaii
BPIF-19980202DI for Honolulu, Hawaii
BPIF-19980202DJ for Honolulu, Hawaii
BPIF-19980202DK for Honolulu, Hawaii
BPIF-19980202DL for Honolulu, Hawaii
BPIF-19980202DM for Honolulu, Hawaii
BPIF-19980202DN for Honolulu, Hawaii
BPIF-19980202DO for Honolulu, Hawaii
BPIF-19980202DP for Honolulu, Hawaii
BPIF-19980202DQ for Honolulu, Hawaii

Cable Antenna Relay Service (Part 78)

GTE and Bell Atlantic have filed or amended applications to transfer control from GTE to Bell Atlantic of the following Part 78 Cable Antenna Relay Service licenses.

<u>File No.</u>	<u>Licensee</u>	<u>Location</u>	<u>Call Sign</u>
20000306AA09	GTE Media Ventures, Inc.	Honolulu, HI	WLY-474

20000306AB09	GTE Media Ventures, Inc.	Wahiawa, HI	WLY-476
20000306AC09	GTE Media Ventures, Inc.	Palehua, HI	WLY-625
20000306AD09	GTE Media Ventures, Inc.	Tantalus, HI	WLY-626

Private Land Mobile Radio Services (Part 90)

GTE and Bell Atlantic have filed or amended applications for consent to transfer control from GTE to Bell Atlantic of GTE's interest in the following Part 90 Private Land Mobile Radio Services licenses. No separate file number will be assigned for the transfer of control of these licenses.⁷

Licensee and Call Signs

GTE Southwest Incorporated (WPNR921)

GTE Wireless Incorporated (WPMW262)

GTE Hawaiian Telephone Company Incorporated (WPMW445, WPMW446)

Puerto Rico Telephone Company, Inc. (KCZ959, WYW890, WNAP303, WNIQ454)

Fixed Microwave Services (Part 101)

GTE and Bell Atlantic have filed or amended applications for consent to transfer control from GTE to Bell Atlantic of GTE's interest in the following Part 101 Fixed Microwave Services licenses:

<u>File No.</u>	<u>Licensee and Call Signs</u>
9713786	GTE Northwest Incorporated (WDU589)
9713806	GTE Mobilnet of Indiana Limited Partnership (WPOS361)
9713812	GTE Mobilnet of Santa Barbara Limited Partnership (WPJB485)
0000087576	Illinois SMSA Limited Partnership (WMJ427, WMJ428)

⁷ GTE also has pending several requests for reinstatement of Part 90 authorizations. Applications to transfer control to Bell Atlantic of any reinstated Part 90 licenses that are granted to GTE or its subsidiaries during the pendency of the applications for the overall Bell Atlantic - GTE transaction will appear on the regular Wireless Telecommunications Bureau public notice cycle.

- 0000087595 CyberTel Cellular Telephone Company (WHB478, WHC933, WHO889, WHO891, WHO892, WLB374, WLB666, WLB667, WLB668, WLB669, WLB670, WLK827, WLK829, WLK830, WLK832, WLM913, WLR230, WLR231, WLR427, WLS492, WLS494, WLT334, WLT335, WLT373, WLT952, WLW457, WLW533, WLW541, WLW545, WLW549, WMJ622, WMJ852, WMJ853, WMN511, WMN512, WMN513, WMQ292, WMQ316, WMQ360, WMQ576, WMQ577, WMQ717, WMQ718, WMR303, WMR304, WMR305, WMR306, WMR471, WMR472, WMR473, WMR519, WMR902, WMS377, WMS746, WMS892, WPJE846, WPJK448, WPNA943, WPNJ404)
- 0000087601 CyberTel RSA Cellular Limited Partnership (WLV514, WHB541, WMK534, WLW502, WLW506, WLW510, WLW518, WLW522, WLW526, WMJ314, WMJ315, WMJ316, WMK979, WMK980, WMM976, WMM977, WMM978, WMN783, WMQ490, WMR381, WMR382, WMR588, WMR759, WMR844, WMR845, WMR846, WMS302, WMT759, WPNB807)
- 0000091564 GTE Communications Corporation (WHS920, WHS921, WHS922, WHS923, WHS924, WHS925, WHS926, WHS927, WHS928, WHS929, WHS930, WHS931, WLM441, WMG778, WMT294)
- 0000090983 Puerto Rico Telephone Company, Inc. (WBB286, WFY848, WCU445, WDU568, WDU618, WHE586, WFY522, WFY556, WFY637, WLA784, WGX409, WHA412, WHA586, WLC430, WHO512, WHO882, WHU22, WLU882, WLA977, WLA979, WLB965, WQP80, WLM213, WLM508, WLT765, WWM22, WOE87, WQP78, WQP79, WWR70, WQP81, WQP82, WQP83, WWS28, WWM23, WWR68, WWR69, WWT52, WWR75, WWR76, WWS27, WWY31, WWT48, WWT49, WWT51, WWY36, WWT53, WWT63, WWT64, WWZ29, WWY32, WWY33, WWY34, WWZ45, WWY73, WWY89, WWZ20, WCU444, WWZ32, WWZ37, WWZ42, WDV222, WWZ49, WHB418, WHB422, WHB423, WHB424, WHK833)

SECTION 214 APPLICATIONS

The following applications for transfer of control of international Section 214 authorizations or interests in such authorizations held by affiliates or subsidiaries of GTE from GTE to Bell Atlantic has been assigned the file number listed below. This file number shall represent the Section 214 authorizations listed in the original application and those 214 authorizations listed in the March 8, 2000 amendment to the original application.

File No.

Licensee

ITC-T/C-19981001-00034

GTE Hawaiian Tel International Incorporated
GTE Pacifica Incorporated

GTE Communications Corporation
GTE Telecom Incorporated
GTE Wireless Incorporated
GTE Airfone Incorporated
GTE Railfone Incorporated
GTE Hawaiian Telephone Company Incorporated
GTE Telecommunications Services Incorporated
The Micronesian Telecommunications Corporation
Codetel International Communications Incorporated
BCT.TELUS Communications, Inc.
Celulares Telefónica, Inc.

CABLE LANDING LICENSE APPLICATION

The following application for consent to transfer control from GTE to Bell Atlantic of Cable Landing License Act authorizations, or interests in such authorizations, held by affiliates or subsidiaries of GTE has been assigned the file number listed below. This file number shall represent the Cable Landing License Act authorizations listed in the original application and those Cable Landing License Act authorizations filed listed in the March 8, 2000 amendment to the original application.

<u>File No.</u>	<u>Licensee</u>
SCL-T/C-19981001-00922	GTE Pacifica Incorporated GTE Communications Corporation GTE Hawaiian Telephone Company Incorporated GTE Intelligent Network services, Inc. GTE Hawaiian Tel International Incorporated Codetel International Communications Incorporated

GENERAL INFORMATION

The applications and amendments referenced herein have been found, upon initial review, to be acceptable for filing. 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 these applications earlier than 31 days following the date of this Public Notice. See 47 U.S.C. § 309(b). As indicated above, interested parties may file comments or petitions to deny no later than **April 17, 2000**. Reply comments and oppositions to such pleadings may be filed no later than **April 27, 2000**. All filings concerning matters referenced in this Public Notice should refer to CC Docket No. 98-184 and DA 00- 608, as well as the specific file numbers of the individual applications or other matters to which the filings pertain.

Pursuant to 47 C.F.R. § 1.1200(a), which permits the Commission to adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires, we announce that this proceeding will be governed by **permit-but-disclose *ex parte* procedures** that are applicable to non-restricted proceedings under 47 C.F.R. § 1.1206.

An original and four copies of all comments, petitions to deny, oppositions and replies must be filed with the Commission's Secretary, Magalie Roman Salas, 445 12th Street, S.W., TW-B204, Washington, D.C. 20554, in accordance with Section 1.51(c) of the Commission's rules, 47 C.F.R. § 1.51(c). **In addition, one copy of each pleading must be delivered to each of the following locations:** (1) the Commission's duplicating contractor, International Transcription Services, Inc. ("ITS"), 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; (2) Office of Media Relations, 445 12th Street, S.W., Room CY-C314, Washington, D.C. 20554; and (3) the staff contact in the relevant Bureau or Division, as follows:

Wireless Telecommunications Bureau: (Parts 22 and 24)	Lauren Kravetz Commercial Wireless Division Wireless Telecommunications Bureau 445 12th Street, S.W., Room 4-A163 Washington, D.C. 20554
Wireless Telecommunications Bureau: (Parts 90 and 101)	Monica Desai Public Safety and Private Wireless Division Wireless Telecommunications Bureau 445 12 th Street, S.W., Room 4-A232 Washington, D.C. 20554
Mass Media Bureau: (Parts 21 and 74)	Kim Varner Mass Media Bureau 445 12 th Street, S.W., Room 2-A821 Washington, D.C. 20554
Cable Services Bureau: (Part 78)	Richard Kalb Cable Services Bureau 445 12 th Street, S.W., Room 4-A739 Washington, D.C. 20554
International Bureau: (International 214s, Cable Landing Licenses)	Matthew Vitale International Bureau, Telecom. Division 445 12 th Street, S.W., Room 6-A821 Washington, D.C. 20554
International Bureau: (Part 25)	Karl Kensinger International Bureau, Satellite Division 445 12 th Street, S.W., Room 6-A663 Washington, D.C. 20554

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, 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 ITS. The applications and documents are also available for public inspection and copying during normal reference room hours at the following Commission office: Office of Public Affairs, Reference Operations Division, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. In addition, the applications filed through the Wireless Telecommunications Bureau's Universal Licensing System may be accessed electronically on the Commission's Internet website through the Wireless Telecommunications Bureau homepage.

For further information, contact Lauren Kravetz or Paul Murray, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-7240.

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