



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Wireless Telecommunications Bureau Establishes Pleading Cycle for Request for Authorization to Participate in the AirCell System

On December 24, 1998, the Wireless Telecommunications Bureau (Bureau) issued an order granting, in part, AirCell, Inc.'s (AirCell) Petition for Waiver.¹ In that order, the Bureau granted a request for waiver of section 22.925 of the Commission's rules,² subject to certain conditions. In the *AirCell Order*, the Bureau stated that future cellular operators seeking to become participants in the AirCell system must file requests for waiver.

On March 20, 2000, AirCell and California RSA No. 3, Limited Partnership, a California Limited Partnership d/b/a Golden State Cellular, filed a petition for waiver of section 22.925 and for authorization to participate in the AirCell system.

The deadline for filing Oppositions to this waiver request is **April 27, 2000**. The deadline for filing Replies to any Oppositions is **May 4, 2000**.

As with all other matters associated with the AirCell proceeding,³ including previous waiver petitions, this waiver request will be treated, for *ex parte* purposes, as a "permit-but-disclose" proceeding, subject to the applicable requirements set forth under Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), as revised.

For further information, contact Wilbert E. Nixon, Jr., Wireless Telecommunications Bureau, Commercial Wireless Division at 202-418-0620.

¹ See *In re AirCell, Inc., Petition, Pursuant to Section 7 of the Act, For a Waiver of the Airborne Cellular Rule, or in the Alternative, For a Declaratory Ruling, Order*, DA 98-2590 (Dec. 24, 1998) (*AirCell Order*).

² 47 C.F.R. § 22.925. Section 22.925 prohibits the airborne use of cellular telephones.

³ See "Commission Requests Comment on a Petition for Waiver of Rules to Permit Airborne Operation of Specially Designed Terminal Equipment in the Cellular Radiotelephone Service," DA 97-2309, *Public Notice* (rel. Oct. 31, 1997).