

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

In the Matter of)	
)	
AB Fillins)	
)	File No. 06436-CL-MP-95
Application for Phase I Major)	
Modification of Unserved Area License)	
Under Call Sign KNKR216)	
Market 77-B2, Tucson, Arizona)	

ORDER

Adopted: May 17, 2001

Released: May 21, 2001

By the Chief, Commercial Wireless Division:

1. On April 13, 2000, Wireless Operating Company, Inc. (WOC) filed a petition for reconsideration (Petition) of the Commission’s March 14, 2000 grant of the above-captioned Phase I cellular unserved area application filed by AB Fillins (AB) to modify station KNKR216 in Tucson, Arizona.¹ For the reason stated below, we dismiss WOC’s Petition as moot.

2. On April 11, 2001, the Commercial Wireless Division, Licensing and Technical Analysis Branch (Branch) notified AB that its authorization under File No. 06436-CL-MP-95 to modify station KNKR216 in Tucson, AZ terminated automatically for failure to construct in accordance with Commission rule 1.946 (c).²

3. Accordingly, IT IS ORDERED that, pursuant to sections 4(i) and 308 of the Communications Act of 1934, 47 U.S.C. 154(i), 308, and section 1.106 of the Commission’s Rules, 47 C.F.R. § 1.106, Wireless Operating Company, Inc.’s Petition for Reconsideration filed on April 13, 2000 is DISMISSED as moot.

FEDERAL COMMUNICATIONS COMMISSION

William W. Kunze
Chief, Commercial Wireless Division
Wireless Telecommunications Bureau

¹ In the Matter of AB Fillins, *Order on Reconsideration*, 15 FCC Rcd. 5285 (2000).

² Letter from Roger Noel, Chief, Licensing & Technical Analysis Branch, Commercial Wireless Division, Wireless Telecommunications Bureau to AB dated April 30, 2001. The Branch Letter indicates that AB did not file the required FCC Form 601 notification of construction of facilities pursuant to section 1.946 of the rules, 47 C.F.R. § 1.946.