



PUBLIC NOTICE

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DA 01-1416
Released: June 13, 2001

WIRELESS TELECOMMUNICATIONS BUREAU APPROVES WITHDRAWAL OF PETITIONS FOR RECONSIDERATION

On May 25, 2001, the Wireless Telecommunications Bureau adopted and released the *900 MHz Extension Order*¹ in which it extended the five-year construction deadline contained in Section 90.665(c) of the Commission rules for all 900 MHz Specialized Mobile Radio (SMR) Major Trading Area (MTA)² licensees from August 12, 2000 until December 31, 2002.³

On June 7, 2001, Arch Wireless, Inc. (Arch) filed a request to withdraw a Petition for Reconsideration filed by its subsidiary, Paging Network, Inc. (PageNet), on June 29, 2000.⁴ In its Petition for Reconsideration, PageNet sought reconsideration of a Commission decision denying PageNet's request for an extension of, for forbearance from, the five-year construction deadline contained in Section 90.665(c).⁵ Arch, on behalf of PageNet, states that PageNet's Petition for Reconsideration "has been rendered moot" by the *900 MHz Extension Order*.⁶

On June 11, 2001, Houston 936 SMR, Inc. (Houston) filed a request to withdraw its Petition for Reconsideration filed on February 22, 2001. In its Petition for Reconsideration, Houston sought

¹ FCI 900 Inc. Expedited Request for 3-year Extension of 900 MHz Band Construction Requirements and Neoworld License Holdings, Inc. Request for Waiver of 900 MHz Band Construction Requirements and Petition for Declaratory Ruling, *Memorandum Opinion and Order*, DA 01-1297 (WTB rel. May 25, 2001) (*900 MHz Extension Order*).

² MTAs are based on material copyrighted by Rand McNally & Company, 1992.

³ The five-year construction deadline for most 900 MHz MTA licensees was August 12, 2001 because most licenses were granted on August 12, 1996. See Public Notice, "FCC Announces Grant of 900 MHz Specialized Mobile Radio MTA Licenses," 12 FCC Rcd. 13055 (1996). If a 900 MHz MTA licensee's five-year construction date is after December 31, 2002, the *900 MHz Extension Order* does not affect its five-year construction deadline.

⁴ Letter dated June 7, 2001 from Carolyn W. Groves, Esq., Counsel to Arch, to Magalie Roman Salas, Secretary of the FCC (Arch Letter).

⁵ See Paging Network, Inc., Request for Waiver of Section 90.665 of the Commission's Rules Relating to the Construction of 900 MHz SMR MTA Facilities, *Order*, 15 FCC Rcd 12141 (2000).

⁶ Arch Letter at 2.

reconsideration of a Commission decision denying it an extension of the three-year construction deadline for 900 MHz SMR MTA licensees contained in Section 90.665(c).⁷ Houston seeks to withdraw its Petition for Reconsideration in light of the *900 MHz Extension Order*.⁸

The Commercial Wireless Division has reviewed and hereby approves the request of Arch Wireless, Inc., on behalf of its subsidiary Paging Network, Inc., and the request of Houston 936 SMR, Inc., to withdraw their above referenced Petitions for Reconsideration.

Action by the Chief, Commercial Wireless Division, Wireless Telecommunications Bureau.

FOR FURTHER INFORMATION CONTACT: Richard Arsenault of the Commercial Wireless Division at (202) 418-0920 or rarsenau@fcc.gov.

⁷ Houston 936 SMR, Inc., Request for Waiver of Construction Requirement for 900 MHz MTA License, Call Sign KNNY 2252, Houston, Texas, *Memorandum Opinion and Order*, FCC 01-16 (2001 WESTLAW 50559 FEDCOM FCC library) (2001).

⁸ Houston Request for Withdrawal of Petition for Reconsideration at 1.