



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th St. SW  
WASHINGTON, D.C. 20554

News media information 202/418-0500  
Fax-On-Demand 202/418-2830  
Internet: <http://www.fcc.gov> <ftp.fcc.gov>

**DA 01-177**  
**Released: January 25, 2001**

## WIRELESS TELECOMMUNICATIONS BUREAU DISMISSES PETITIONS AS MOOT

On January 20, 2000, Elliot Acosta (Acosta), former licensee of 800 MHz Specialized Mobile Radio (SMR) Station WPCM508 in Oldsmar, Florida, filed a Petition to Deny and Petition for Reconsideration (Acosta Petition) against applications filed by Nextel Communications, Inc. (Nextel) to modify several 800 MHz SMR co-channel licenses in the same geographic area. On February 10, 2000, Nextel filed a Petition for Reconsideration (Nextel Petition for Reconsideration) of the January 10, 2000 order by the Commercial Wireless Division (Division) of the Wireless Telecommunications Bureau granting Acosta's application, filed on March 19, 1999, to reinstate the license for Station WPCM508.<sup>1</sup> Nextel also filed, on February 7, 2000, a Petition to Deny (Nextel Petition to Deny) Acosta's reinstatement application, which already had been granted in the Division's Reinstatement Order.

On August 15, 2000, Acosta canceled the license for Station WPCM508, and he no longer has authority to operate an 800 MHz station in the Oldsmar, Florida area. The cancellation of Acosta's license renders the Nextel Petition for Reconsideration moot, and it is hereby dismissed pursuant to section 1.106 of the Commission's rules, 47 C.F.R. § 1.106. The grant of Acosta's reinstatement application in the Division's *Reinstatement Order* renders the Nextel Petition to Deny moot, and it is hereby dismissed pursuant to section 1.939(g) of the Commission's rules, 47 C.F.R. § 1.939. Because Acosta no longer has authority to operate an 800 MHz station in the Tampa, FL area, the Acosta Petition also is rendered moot and accordingly is hereby dismissed pursuant to sections 1.106 and 1.939(g) of the Commission's rules, 47 C.F.R. §§ 1.106, 1.939(g).

Action by the Deputy Chief, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau.

For further information, contact Don Johnson, at (202) 418-7240, Wireless Telecommunications Bureau, Commercial Wireless Division, Policy and Rules Branch.

---

<sup>1</sup> *Elliot Acosta, 15 FCC Rcd 727 (CWD 2000) (Reinstatement Order).*