



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU APPROVES SETTLEMENT AGREEMENT BETWEEN BACHOW/COASTEL, L.L.C. AND ALLTEL ILLINOIS LIMITED PARTNERSHIP

Pursuant to section 4(i) of the Communications Act, 47 U.S.C. § 154(i), and sections 0.331 and 1.935 of the Commission's rules, 47 C.F.R. §§ 0.331 and 1.935, the Commercial Wireless Division (Division), Wireless Telecommunications Bureau hereby approves the Joint Motion for Dismissal and Approval of Settlement Agreement (Settlement Agreement) filed by Bachow/Coastel, L.L.C. (Coastel) and ALLTEL Illinois Limited Partnership (ALLTEL) on August 22, 2001.¹

Coastel is the Block B cellular licensee in the Gulf of Mexico Service Area (GMSA). ALLTEL, the successor in interest to GTE Wireless of the South, Inc. (GTE), is the Block B cellular licensee in the Mobile, Alabama Metropolitan Statistical Area (MSA). For a number of years, Coastel has been in conflict with GTE, and, more recently, with ALLTEL, regarding the operations of their respective cellular systems. Both ALLTEL and Coastel have filed a number of pending applications, petitions for waiver, and requests for Special Temporary Authority to serve areas along the boundary between the Mobile, Alabama MSA and the GMSA.² ALLTEL and Coastel have also filed numerous petitions to deny against the other party's applications. On July 12, 2001, Coastel and ALLTEL entered into the instant Settlement Agreement.

The Division has reviewed the record and finds that the Settlement Agreement complies with section 1.935 of the Commission's rules, and that it is in the public interest to approve the Settlement Agreement. The Division concludes that this agreement will help to resolve the long-standing technical and operational disputes between the two carriers, and facilitate seamless coverage along the boundary between the Mobile, Alabama MSA and the GMSA. Accordingly, the Division approves the Settlement Agreement and dismisses the following applications and their associated pleadings with prejudice:

1. File No. 0000496022 - GTE Petition for Waiver, filed March 16, 2000; ALLTEL Amended Petition for Waiver, filed May 2, 2001.
2. File No. 0000223356 - ALLTEL Request for Special Temporary Authority, filed September 21, 2000; Amendment, filed May 10, 2001.

¹ Applications of Bachow/Coastel, L.L.C., and ALLTEL Illinois Limited Partnership and Associated Petitions, *Joint Motion for Dismissal and Approval of Settlement Agreement*, filed August 22, 2001.

² See e.g. Waiver of Sections 22.911(D) And 22.912(A) of the Commission's Rules to Enable GTE to Maintain Cell Sites that may extend beyond the Alabama Boundary – Mobile, MSA Market B, Call Sign KNKA 278, Gulf Of Mexico Service Area Market 306b Call Sign KNKA 412, filed March 16, 2000.

3. File No. 0000125728 - GTE/ALLTEL Phase II Cellular Unserved Application, filed May 9, 2000.
4. File No. 0000105772 - GTE/ALLTEL Modification Application, as amended, filed April 11, 2000.
5. File No. 0000188467 - Coastel Modification Application, filed July 14, 2000; Amendment, filed August 3, 2000.
6. File No. 0000113774 - Coastel Phase II Cellular Unserved Application, filed April 21, 2000; Amendment, filed April 26, 2000.
7. File No. 0000160419 - Coastel Request for Special Temporary Authority, filed June 8, 2000.

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