

PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, D.C. 20554

DA01-2301

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

Released: October 3, 2001

WIRELESS TELECOMMUNICATIONS BUREAU GRANTS CONSENT TO ASSIGN 218-219 MHz SERVICE LICENSES

Pursuant to Section 310(d) of the Communications Act, 47 U.S.C. § 310(d), and Section 0.331 of the Commission's rules, 47 C.F.R. § 0.331, the Wireless Telecommunications Bureau (Bureau) approves, subject to the conditions set forth below, the applications requesting Commission consent to assign the following licenses:

Two Way TV, Inc. (assignor) to In-Sync Interactive/Billings Two, Inc. (assignee):
KIVD0464, Market M268B – Billings, MT; File No. 0000399322.

Two Way TV, Inc. (assignor) to In-Sync Interactive/Fargo, Inc. (assignee):
KIVD0392, Market M221B – Fargo, ND; File No. 0000399319.

Two Way TV, Inc. (assignor) to In-Sync Interactive/Joplin, Inc. (assignee):
KIVD0416, Market M229A – Joplin, MO; File No. 0000399918.

Two Way TV, Inc. (assignor) to In-Sync Interactive/Johnstown, Inc. (assignee):
KIVD0294, Market M143A – Johnstown, PA; File No. 0000399919.

Two Way TV, Inc. (assignor) to In-Sync Interactive/Sharon, Inc. (assignee):
KIVD0414, Market M238A – Sharon, PA; File No. 0000399935.

Two Way TV, Inc. (assignor) to In-Sync Interactive/Chico, Inc. (assignee):
KIVD0382, Market M215A – Chico, CA; File No. 0000399300.

Two Way TV, Inc. (assignor) to In-Sync Interactive/Columbia, Inc. (assignee):
KIVD0470, Market M278A – Columbia, MO; File No. 0000433179.

Two Way TV, Inc. (assignor) to In-Sync Interactive/Visalia, Inc. (assignee):
KIVD0299, Market M150B – Visalia, CA; File No. 0000399318.

We approve these assignments because we find it is in the public interest, convenience, and necessity. *See 47 U.S.C. § 310(d)*. By this approval, the parties are authorized to proceed to the final stages of their respective transactions. Section 1.948(d) of the Commission's rules requires consummation of the assignment within 180 days of this public notice and notification within 30 days of such consummation via a properly filed FCC Form 603. *See 47 C.F.R. § 1.948(d)*. Hence, we remind parties that an assignment shall not be considered complete until the underlying transaction closes and all conditions set forth in the grant documents, including this Public Notice and the application, are met.

Grant is further conditioned upon full and timely performance of the payment obligations under the installment payment plan. All installment payments must be current on the consummation date. In addition, the approval of each assignment is also conditioned upon the execution of all Commission loan documents by the assignor, assignee and the Commission, unless the license being assigned has been paid in full. Approval is also conditioned upon the assignee's execution of the applicable financing statements (*i.e.* the UCC-1 Forms) and payment of all costs associated with the preparation and recordation of the financing statements. It is further conditioned upon full payment of any required unjust enrichment payments on or before the consummation date. *See* 47 C.F.R. §1.2111(c) and (d).

Where applicable, the Bureau will send all assignors listed herein the appropriate loan documents and financing statements upon notification of the proposed consummation date. Upon receipt of the notification required by Section 1.948(d) of the Commission's rules, and satisfaction of all requisite conditions, including execution of the appropriate documents, the Bureau will consider the assignment "complete" and will issue the license to the assignee.

Failure of the parties to comply with Section 1.948(d) of the Commission's rules, or any specific condition described herein, will result in automatic cancellation of the Commission's assignment approval, and dismissal of the underlying assignment application.

To notify the Bureau of the proposed consummation date and to request loan documents and financing statements, contact Rita Cookmeyer and Yolanda Lee at (202) 418-0660. Requests for loan documents and financing statements should be made at least 10 days prior to consummation. In addition, upon filing notification of consummation, the file number must be provided to the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau via e-mail at jtobias@fcc.gov (or a copy of the letter notification, when applicable, shall be sent via facsimile to 202-418-2643, attn: Jeffrey Tobias).

This Public Notice is issued by the Chief, Wireless Telecommunications Bureau.

- FCC -