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

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	)	
In the Matter of	)	
	)	
AT&T Wireless PCS, Inc.	)	File No. EB-00-SJ-105
Washington, D.C.	)	
	)	**NAL/Acct. No.** 20013268002

MEMORANDUM OPINION AND ORDER

Adopted: February 13, 2001 **Released: February 15, 2001**

By the Chief, Enforcement Bureau:

1. This Memorandum Opinion and Order ("Order") rescinds a proposed monetary forfeiture issued to AT&T Wireless PCS, Inc. ("AT&T") in the amount of $10,000 for apparent willful and repeated violations of Section 301 of the Communications Act of 1934, as amended ("the Act").[1] The proposed forfeiture was assessed for AT&T's alleged operation of a PCS station without authorization from a site in Humacao, Puerto Rico. Based on AT&T's response, it is clear that AT&T did not engage in the operation at issue in the Notice of Apparent Liability for Forfeiture.

2. Accordingly, **IT IS ORDERED**, pursuant to Section 504(b) of the Act[2] and Sections 0.111, 0.311 and 1.80 of the Rules,[3] that the Notice of Apparent Liability for Forfeiture issued to AT&T **IS RESCINDED.**

3. **IT IS FURTHER ORDERED** that, a copy of this Order shall be sent certified mail, return receipt requested, to AT&T Wireless PCS, Inc., 1150 Connecticut Avenue, N.W., 4th Floor, Washington, D.C. 20036.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

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[1] 47 U.S.C. § 301. *See* Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 20013268002 (Enf. Bur., San Juan Resident Agent Office, released November 21, 2000).

[2] 47 U.S.C. § 504(b).

[3] 47 C.F.R. §§ 0.111, 0.311, and 1.80.