



# PUBLIC NOTICE

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**DA 01-538**  
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## **WIRELESS TELECOMMUNICATIONS BUREAU APPROVES SETTLEMENT AGREEMENT BETWEEN LEAP WIRELESS INTERNATIONAL, INC. AND CAROLINA PCS I LIMITED PARTNERSHIP**

Pursuant to Section 4(i) of the Communications Act, 47 U.S.C. § 154(i), and Section 0.331 of the Commission's rules, 47 C.F.R. § 0.331, the Policy and Rules Branch of the Commercial Wireless Division hereby approves the Settlement Agreement dated November 21, 2000, as amended by the First Amendment to Settlement Agreement dated February 9, 2001 (collectively, Settlement Agreement), between Carolina PCS I Limited Partnership (Carolina PCS) and Leap Wireless International, Inc. (Leap).<sup>1</sup>

Pursuant to the Settlement Agreement, Carolina PCS will seek dismissal of its Appeal in *Carolina PCS I Limited Partnership v. FCC*, Case No. 00-1386 (D.C. Cir. filed Aug. 25, 2000),<sup>2</sup> and will withdraw the following Applications for Review and Petitions to Deny:

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<sup>1</sup> See Request for Approval of Settlement Agreement, lead File No. 0000078055 (filed Dec. 4, 2000) (transmitting Settlement Agreement), Supplement to Request for Approval of Settlement Agreement (filed Dec. 21, 2000), Further Supplement to Request for Approval of Settlement Agreement (filed Jan. 24, 2001), Second Further Supplement to Request for Approval of Settlement Agreement (filed Feb. 12, 2001) (transmitting First Amendment to Settlement Agreement).

<sup>2</sup> This case is a consolidated appeal of AirGate Wireless, L.L.C., Assignor, and Cricket Holdings, Inc., Assignee, and Application of Leap Wireless International, Inc. for Authorization to Construct and Operate 36 Broadband PCS C Block Licenses, *Memorandum Opinion and Order*, 14 FCC Rcd 11827 (Commercial Wireless Div., 1999), Application for Review (filed Aug. 23, 1999) denied by 15 FCC Rcd 133557 (2000), and PCS Devco, Inc., ChaseTel Licensee Corp., and Leap Wireless International, Inc. Applications for Assignment of Authorizations, *Memorandum Opinion and Order*, DA 00-279 (Auctions and Industry Analysis Div., rel. Feb. 14, 2000), Application for Review (filed March 14, 2000) denied by 15 FCC Rcd 13557 (2000).

1. Application for Review (filed Nov. 13, 2000) and Supplement to Application for Review (filed Dec. 27, 2000) of *Memorandum Opinion and Order*, DA 00-231 (Policy & Rules Branch, rel. Oct. 13, 2000), Leap Wireless International, Inc. and Nedelco, Inc.; Zuma PCS, LLC and Leap Wireless International, Inc.; Radiofone PCS, LLC and Cricket Licensee Denver, Inc.; Leap Wireless International, Inc. and CM PCS LLC; Chandu Patel d/b/a Center Point PCS and Cricket Licensee (Reaution), Inc.; Lakeland PCS LLC and Cricket Licensee (Lakeland) Inc.; Applications for Assignment of Authorizations, File Nos. 0000078055, 0000083794, 0000083799, 0000083814, 0000083827, 0000119257, 0000119262, and 0000191738.

2. Application for Review (filed Jan. 8, 2001) of *Memorandum Opinion and Order*, DA 00-2778 (Policy & Rules Branch, rel. Dec. 8, 2000), Beta Communications, L.L.C. (Assignor), Leap Wireless International, Inc. (Assignee), Application for Assignment of Authorization, File Nos. 0000110639 and 0000110695.

3. Petition to Deny (filed Dec. 29, 2000), Communications Venture PCS LP (Assignor) and Cricket Licensee (Reaution), Inc. (Assignee), Station KNLG967, File No. 0000264637.

4. Petition to Deny (filed Dec. 29, 2000), ClearComm L.P. (Assignor) and Cricket Licensee (Reaution), Inc. (Assignee), Station KNLF734, File No. 0000249306.

5. Petition to Deny (filed Jan. 5, 2001), BRK Wireless Company, Inc. (Assignor) and Cricket Licensee (Reaution), Inc. (Assignee), Station WPOJ704, File No. 0000266824.

For further information, contact: Richard Arsenault of the Commercial Wireless Division at (202) 418-0920 or rarsenau@fcc.gov.

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