

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

In re Applications of )  
 )  
Preferred Communication Systems, Inc. )  
 )  
For Authorization to Assign Multiple SMR )  
Licenses from Various Licensees to Preferred )  
Communication Systems, Inc. )

ORDER

Adopted: April 13, 2001

Released: April 17, 2001

By the Deputy Chief, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau and the Chief, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

1. We have before us a Petition for Partial Reconsideration (“Petition”), filed by Preferred Communication Systems, Inc. (“Preferred”) on December 17, 1999, of the December 3, 1999 Order (“December 3, 1999 Order”) by the Policy and Rules Branch of the Commercial Wireless Division and the Policy and Rules Branch of the Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.<sup>1</sup> The December 3, 1999 Order, among other actions, dismissed the assignment applications for twelve licenses that previously had been cancelled. Preferred claims that the twelve licenses should not have been cancelled, for the reasons explained in a separate request for reconsideration or reinstatement filed by Preferred.<sup>2</sup> As discussed herein, we dismiss the instant Petition as moot.

2. The December 3, 1999 Order dismissed applications to assign to Preferred licenses that had been cancelled, including the twelve licenses listed in the instant Petition.<sup>3</sup> Preferred now alleges that the Commission should not have cancelled those licenses, for the reasons set forth in Preferred’s December 9, 1999 Petition. The Policy and Rules Branch of the Commercial Wireless Division addressed the December 9, 1999 Petition in a separate order and concluded that the licenses were cancelled properly.<sup>4</sup> As

<sup>1</sup> In re Applications of Preferred Communication Systems, Inc.; For Authorization to Assign Multiple SMR Licenses from Various Licensees to Preferred Communication Systems, Inc., *Order*, DA 99-2701 (rel. Dec. 3, 1999).

<sup>2</sup> See Petition for Partial Reconsideration, filed December 9, 1999, by Preferred, In the Matter of Preferred Communication Systems, Inc.; Petition for Correction of October 9, 1998 Licensee List; Petition for Correction of Database (“December 9, 1999 Petition”).

<sup>3</sup> See Attachment A.

<sup>4</sup> See In the Matter of Preferred Communication Systems, Inc.; Petition for Correction of October 9, 1998 Licensee List; Petition for Correction of Database, *Order*, DA 01-942 (rel. Apr. 17, 2001) (“Preferred Reconsideration Order”).

Preferred's arguments in support of reinstating the applications for the twelve licenses were considered and denied in the Preferred Reconsideration Order,<sup>5</sup> we will dismiss the instant Petition as moot.

3. Accordingly, IT IS ORDERED that, pursuant to Section 4(i) of then Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and section 1.106 of the Commission's Rules, 47 C.F.R. § 1.106, the Petition for Partial Reconsideration filed by Preferred Communications System, Inc. on December 17, 1999 IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Linda C. Ray  
Deputy Chief, Policy and Rules Branch  
Commercial Wireless Division  
Wireless Telecommunications Bureau

John J. Schauble  
Chief, Policy and Rules Branch  
Public Safety and Private Wireless Division  
Wireless Telecommunications Bureau

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<sup>5</sup> See Preferred Reconsideration Order at ¶ 4, Attachment A (discussing WPF589 and WPFS869), ¶ 5, Attachment B (discussing WPF664, WPF665, WPF733, WPFS937, WPFS938, WPFT340, WPFT434, and WPFT492), and ¶ 6, Attachment C (discussing WPF767 and WPFU908).