



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

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WIRELESS TELECOMMUNICATIONS BUREAU APPROVES WITHDRAWAL OF PETITION TO DENY AND GRANTS CONSENT TO APPLICATION FOR TRANSFER OF CONTROL

The following application for transfer of control is before the Wireless Telecommunications Bureau (Bureau):

Transfer of Control of Gila River Cellular General Partnership from Dobson Cellular Systems, Inc. to Cellco Partnership d/b/a Verizon Wireless File No. 0000651070

On December 13, 2001, Commnet Wireless, Inc. (CWI) filed a Petition for Partial Denial or, in the Alternative, for Conditional Grant (Petition to Deny) of the above-listed application. On December 28, 2001, Gila River Cellular General Partnership (Gila) filed an Opposition to the Petition to Deny (Opposition). On January 4, 2002, CWI filed a request to Withdraw its Petition to Deny (Withdrawal Request). On January 10, 2002, CWI filed a Supplement to its Withdrawal Request in which it provided the certification required by Section 1.935(a) of the Commission's rules, 47 C.F.R. § 1.935(a).¹

Pursuant to Section 4(i) of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 154(i), and Sections 0.331 and 1.935(a) of the Commission's rules, 47 C.F.R. §§ 0.331 and 1.935(a), the Bureau has reviewed and hereby approves CWI's Withdrawal Request as supplemented on January 10, 2002. In light of our approval of CWI's Withdrawal Request, we dismiss Gila's Opposition as moot.

Pursuant to Sections 4(i) and 310(d) of the Act, 47 U.S.C. §§ 154(i), 310(d), and Section 0.331 of the Commission's rules, 47 C.F.R. § 0.331, the Bureau hereby approves the above-listed application. We approve the above transfer of control because we find that it is in the public interest, convenience, and necessity. *See* 47 U.S.C. § 310(d).

Section 1.948(d) of the Commission's rules provides that "licensees are required to notify the Commission of consummation of an approved transfer or assignment using FCC Form 603." *See* 47 C.F.R. § 1.948(d). Hence, we remind the parties that a transfer shall not be considered complete until the underlying transaction closes, and the parties to the underlying transaction have filed a notification of consummation, including the date the transaction was consummated.

¹ Section 1.935(a) requires concurrent filing of the certification and the request to withdraw a petition to deny. 47 C.F.R. § 1.935(a). Pursuant to Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, the Bureau waives, on its own motion, the concurrent-filing requirement.

Failure of the parties to comply with Section 1.948(d) of the Commission's rules, will result in automatic cancellation of the Commission's transfer of control approval, and dismissal of the underlying transfer of control application.

FOR FURTHER INFORMATION, CONTACT: Richard Arsenault of the Wireless Telecommunications Bureau, Commercial Wireless Division, at (202) 418-0920 (rarsenau@fcc.gov) or John Branscome of the Wireless Telecommunications Bureau, Commercial Wireless Division, at (202) 418-8205 (jbransco@fcc.gov).

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

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