



PUBLIC NOTICE

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

DA 02-2723

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

Released: October 17, 2002

COMMENT SOUGHT ON CENTURYTEL WIRELESS INC. AND CENTURYTEL INC. PETITION FOR WAIVER OF CELLULAR CROSS- INTEREST RULE

WT Docket No. 02-325

PLEADING CYCLE ESTABLISHED

Comments due: November 18, 2002
Oppositions due: December 2, 2002
Replies due: December 9, 2002

On October 4, 2002, CenturyTel Wireless Inc. (“CenturyTel Wireless”), a wholly-owned subsidiary of ALLTEL Communications, Inc. (“ALLTEL”), and CenturyTel Inc. (“CenturyTel”) (collectively, “the Parties”) filed a petition¹ seeking a partial waiver of section 22.942 of the Commission’s Rules (“Cellular Cross-Interest Rule”).² The Parties request the partial waiver to allow CenturyTel to transfer to CenturyTel Wireless a limited partnership interest (“Interest”) in Lafayette MSA LP (“Lafayette”), which holds the B-side cellular license for portions of the Louisiana-6 Rural Service Area (“RSA”).³ The Parties state that CenturyTel Wireless is precluded from acquiring the Interest in Lafayette without a waiver of the Cellular Cross-Interest Rule, because ALLTEL, through its subsidiary Radiofone, Inc., holds the A-side cellular license for an overlapping portion of the same RSA.⁴ The Parties allege, *inter alia*, that waiver of the Cellular Cross-Interest Rule is appropriate because the acquisition by CenturyTel Wireless of the Interest would not lead to any anticompetitive harm.⁵

Pursuant to section 1.925(c)(i) of the Commission’s rules,⁶ we seek comments on the Parties’ Petition. Interested parties may file comments no later than **November 18, 2002**. Oppositions may be filed no later than **December 2, 2002**. Replies may be filed no later than **December 9, 2002**. All comments filed in this proceeding should reference **DA 02-2723** and **WT Docket No. 02-325** and should indicate in the caption that this matter is before the Wireless Telecommunications Bureau, Commercial

¹ CenturyTel Wireless, Inc. Petition for Partial Waiver of Cellular Cross-Interest Rule, CenturyTel Wireless Inc. and CenturyTel Inc. Petition for Waiver of Cellular Cross-Interest Rule (filed Oct. 4, 2002) (“Petition”).

² 47 C.F.R. § 22.942.

³ See Petition at 1.

⁴ See *id.* at 1-2.

⁵ See *id.* at 2.

⁶ 47 C.F.R. § 1.925(c)(i).

Wireless Division. The Petition and other pleadings will be available in WT Docket No. 02-325 on the Commission's Electronic Comment Filing System ("ECFS").

Under the Commission's current procedures for the submission of filings and other documents,⁷ submissions in this matter may be filed electronically or by hand delivery to the Commission's Massachusetts Avenue location.

- **If filed by ECFS,**⁸ comments shall be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.
- **If filed by paper,** the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings) to: (1) the Commission's duplicating contractor, Qualex International, at qualexint@aol.com or (202) 863-2898 (facsimile); (2) Lauren Kravetz Patrich, Commercial Wireless Division, Wireless Telecommunications Bureau, at lkravetz@fcc.gov, or (202) 418-7447 (facsimile); and (3) Erin McGrath, Commercial Wireless Division, Wireless Telecommunications Bureau, at emcgrath@fcc.gov or (202) 418-7447 (facsimile).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁹ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one-sentence or two-sentence description of the

⁷ See *In the Matter of Implementation of Interim Electronic Filing Procedures for Certain Commission Filings*, Order, FCC 01-345 (rel. Nov. 29, 2001); see also FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, DA 01-2919 (rel. Dec. 14, 2001).

⁸ See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24,121 (1998).

⁹ See 47 C.F.R. §§ 1.1200, 1.1206.

views and arguments presented is generally required.¹⁰ Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.¹¹

For further information, contact Lauren Kravetz Patrich or Erin McGrath, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-7240.

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¹⁰ See 47 C.F.R. § 1.1206(b).

¹¹ 47 C.F.R. § 1.1206(b).