



FEDERAL COMMUNICATIONS COMMISSION
Washington DC 20554

April 14, 2003

DA 03-1144

By Fax and U.S. Certified Mail Return/Receipt

John T. Scott, III
Vice President and Deputy General
Counsel – Regulatory Law
Verizon Wireless
1300 I Street, N.W., Suite 400 West
Washington, D.C. 20005-3354

Re: In the Matter of NextWave Personal Communications Inc. and NextWave Power Partners Inc.

Dear Mr. Scott:

This addresses the Notice of Withdrawal From Certain Pleadings, filed in the above-captioned matter by Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”) on January 15, 2003. These pleadings are listed in Attachment A to this letter (“Pleadings”).

Verizon Wireless filed the Pleadings in connection with certain matters relating to Auction No. 35, in which Verizon Wireless was one of the winning bidders. On November 14, 2002, the Commission announced that it would allow eligible winners in Auction No. 35 the option to request the dismissal of their pending applications for C and F block Broadband Personal Communications Services (“PCS”) licenses for spectrum that previously had been licensed to NextWave Personal Communications Inc., NextWave Power Partners Inc., or Urban Comm-North Carolina, Inc.¹ Verizon Wireless filed a request that its pending applications for eighty (80) C and F block PCS licenses be dismissed. The Wireless Telecommunications Bureau reviewed Verizon Wireless’ request and granted the dismissal of its remaining pending applications on December 3, 2002.²

¹ In the Matter of Disposition of Down Payment and Pending Applications By Certain Winning Bidders in Auction No. 35, Requests for Refunds of Down Payments Made In Auction No. 35, *Order and Order on Reconsideration*, 17 FCC Rcd 23354 (2002).

² See Wireless Telecommunications Bureau Grants Dismissal Requests of Eligible Auction No. 35 Winners and Dismisses Applications for 156 C and F Block Broadband Personal Communications Services (PCS) Licenses, *Public Notice*, DA 02-3340, at 1, Attachment A (rel. Dec. 3, 2002).

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Verizon Wireless states that it withdraws its support for the Pleadings in light of the Commission's grant of its request for dismissal of its remaining pending applications in Auction No. 35. Accordingly, pursuant to section 0.331 of the Commission's rules,³ we approve Verizon Wireless' request to withdraw the Pleadings.

Sincerely,

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

³ 47 C.F.R. § 0.331.