



FEDERAL COMMUNICATIONS COMMISSION
Washington DC 20554

April 14, 2003

DA 03-1145

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

Robert A. Calaff
Senior Corporate Counsel - Governmental &
Industry Affairs
T-Mobile USA, Inc.
401 9th Street, N.W., Suite 550
Washington D.C. 20004

Re: In the Matter of T-Mobile USA, Inc., Request to Withdraw Certain Pleadings

Dear Mr. Calaff:

This addresses the Request to Withdraw Certain Pleadings filed January 9, 2003 by T-Mobile USA, Inc., formerly known as VoiceStream Wireless Corporation ("T-Mobile"). These pleadings are listed in Attachment A to this letter ("Pleadings").

T-Mobile filed the Pleadings in connection with various matters relating to Auction No. 35, in which T-Mobile 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 T-Mobile filed a request that its pending applications for twelve (12) C and F block PCS licenses be dismissed. The Wireless Telecommunications Bureau reviewed T-Mobile's 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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T-Mobile 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 T-Mobile's 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.