

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

In the Matter of)	
)	
Michael A. Lees)	File No. 0000916189
)	
Application for Extension of Special Temporary)	
Authority for SMR Station WPTG714 (formerly)	
WNGC384))	

ORDER

Adopted: April 23, 2003

Released: April 24, 2003

By the Chief, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau:

1. On August 9, 2001, the Commercial Wireless Division (Division) released an order that reversed an earlier decision to reinstate Western Communications, Inc.'s (Western) expired license for Station WNGC384.¹ As a result, certain channels automatically reverted to the geographic area licensee, Nextel License Acquisition Corporation.² On September 20, 2001, the Division granted Michael A. Lees (Lees), Western's successor-in-interest, Special Temporary Authority to operate Station WNGC384 for the lesser of 90 days or until Nextel notified Lees that it was ready to provide service in the area previously served by Western.³

2. On June 19, 2002, the Division's Licensing and Technical Analysis Branch granted Lees a 180-day extension of Special Temporary Authority under call sign WPTG714. On July 1, 2002, Nextel Communications, Inc., on behalf of its wholly-owned subsidiary Nextel License Holdings 4, Inc. (Nextel), filed a Petition for Reconsideration requesting that the Commission set aside the grant of that Special Temporary Authority. While Nextel's Petition was pending, the Special Temporary Authority granted to Lees under call sign WPTG714 expired on December 19, 2002. Because Lees did not request an extension of Standard Temporary Authority for Station WPTG714, we dismiss the Petition as moot.

3. Accordingly, IT IS ORDERED that, pursuant to Sections 4(i), 303(r), and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), 405, and Sections 0.331, 1.106,

¹ Western Communications, Inc., Request for Waiver of Rule Section 1.949 to Reinstate License for 800 MHz Trunked Specialized Mobile Radio Service Station WNGC384 at Lead, South Dakota, *Order*, 16 FCC Rcd 15240 (2001).

² The Division Order also granted Western Special Temporary Authority to operate WNGC384 to give its customers the opportunity to transition to another carrier.

³ Western Communications, Inc., Request for Waiver of Rule Section 1.949 to Reinstate License for 800 MHz Trunked Specialized Mobile Radio Service Station WNGC384 at Lead, South Dakota, *Order*, 16 FCC Rcd 16875 (2001).

and 1.931 of the Commission's rules, 47 C.F.R. §§ 0.331, 1.106, 1.931, Nextel's Petition for Reconsideration filed on July 1, 2002, is DISMISSED as moot.

FEDERAL COMMUNICATIONS COMMISSION

Paul D'Ari
Chief, Policy and Rules Branch
Commercial Wireless Division
Wireless Telecommunications Bureau