

PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, D.C. 20554

DA 04-3692

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

Released: November 24, 2004

WIRELESS TELECOMMUNICATIONS BUREAU GRANTS CONSENT TO ASSIGN MULTIPOINT DISTRIBUTION SERVICE STATION LICENSE

Pursuant to Section 310(d) of the Communications Act, 47 U.S.C. § 310(d), and Section 0.331 of the Commission's rules, 47 C.F.R. § 0.331, the Wireless Telecommunications Bureau (Bureau) approves, subject to the conditions set forth below, the application requesting Commission consent to assign the following license:

Nucentrix Broadband Networks, Inc. (debtor-in-possession) to Rioplex Wireless, Ltd.: Market and all associated base stations: BTA268 (B268) – McAllen, TX;
File No. 20030626AAB.

Consent is conditioned upon full payment of any required unjust enrichment payments on or before the consummation date. *See* 47 C.F.R. § 1.2111(c) and (d).

We approve the assignment of authorization application because we find it is in the public interest, convenience, and necessity. *See* 47 U.S.C. § 310(d). By this approval, the parties are authorized to proceed to the final stages of their respective transactions. The parties to this transaction are required to notify the Commission of consummation in writing. Hence, we remind parties that an assignment shall not be considered complete until the underlying transaction closes and all conditions set forth in the grant documents, including this Public Notice and the application, are met. Upon receipt of the written notification of consummation, and satisfaction of all requisite conditions, the Bureau will consider the assignment “complete” and will issue the license to the assignee. Failure of the parties to notify the Commission in writing that the transaction has been consummated, or failure to satisfy any specific condition described above, will result in automatic cancellation of the Commission's assignment approval, and dismissal of the underlying assignment applications. To request payment information, contact Rita Cookmeyer or Yolanda Lee at (202) 418-0660.

This Public Notice is issued by the Chief, Wireless Telecommunications Bureau.

- FCC -