

PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 05-598

Released: March 4, 2005

WIRELESS TELECOMMUNICATIONS BUREAU GRANTS CONSENT TO ASSIGN AND TRANSFER CONTROL OF MULTPOINT DISTRIBUTION SERVICE STATION LICENSES

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 licenses:

Grand Wireless Company, Inc. to Cherry Tree Communications, LLC: Markets and all associated stations: BTA307 (B307) – Mt. Pleasant, MI; BTA345 (B345) - Petoskey, MI; BTA446 (B446) – Traverse City, MI: File Number 20040909AAB.

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 Bureau approves, subject to the conditions set forth below, the application requesting Commission consent to transfer control of the following licenses:

Grand Wireless Company, Inc. (licensee) from DeCelis Group Shareholders of Grand Wireless Co., Inc. (transferor) to Harbin/Pick Shareholders of Grand Wireless Company, Inc. (transferee): Market and all associated stations: BTA489 (B489) - Mayaguez-Aguadilla-Ponce, PR: File Number 20040909AAC.

The approval of the above-referenced applications is conditioned upon the execution of all Commission loan documents by the assignor, assignee and the Commission, unless the license being assigned has been paid in full. Additionally, all installment payments must be current on the consummation date.

We approve the assignment of authorization application and the transfer of control application because we find it is in the public interest, convenience, and necessity. *See* 47 U.S.C. § 310(d). By these approvals, the parties are authorized to proceed to the final stages of their respective transactions. The parties are required to notify the Commission of the consummation of this assignment of authorization and this transfer of control.¹ If a notification is filed on or before July 10, 2005, it may be filed in writing. Any notification of consummation that is submitted after July 10, 2005, must be filed electronically, on an FCC Form 603 with a Schedule D.² The FRN of the parties to the transaction must be listed when

¹ *See* 47 C.F.R. § 1.948(d).

² *See* Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, WT Docket No. 03-66, RM-10586, Part 1 of the Commission's Rules - Further Competitive Bidding Procedures, WT Docket No. 03-67, Amendment of Parts 21 and 74 to Enable

submitting a consummation notification in writing. Hence, we remind parties that an assignment or transfer 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.

Furthermore, the assignee and transferee will provide the Commission with their most current filed charter documents and applicable organization identification numbers on or before the consummation date. Upon receipt of the notification of consummation, and satisfaction of all requisite conditions, including execution of the appropriate documents, the Bureau will consider the assignment and the transfer “complete” and will issue the licenses to the assignee.

Failure of the parties to notify the Commission that the transaction has been consummated, or any specific condition described above, will result in automatic cancellation of the Commission's assignment and transfer approval and dismissal of the underlying assignment and transfer applications.

To notify the Bureau of the proposed consummation date and to request loan documents and financing statements, contact Rita Cookmeyer or Yolanda Lee at (202) 418-0660. Requests for loan documents and financing statements should be made at least 10 days prior to consummation.

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

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Multipoint Distribution Service and the Instructional Television Fixed Service Amendment of Parts 21 and 74 to Engage in Fixed Two-Way Transmissions, MM Docket No. 97-217, Amendment of Parts 21 and 74 of the Commission's Rules With Regard to Licensing in the Multipoint Distribution Service and in the Instructional Television Fixed Service for the Gulf of Mexico, WT Docket No. 02-68, RM-9718, Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets, WT Docket No. 00-230, *Report and Order and Further Notice of Proposed Rulemaking*, 19 FCC Rcd 14165, ¶¶ 259, 260 (2003).