



PUBLIC NOTICE

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DA 06-1090

Released: May 24, 2006

**WIRELESS TELECOMMUNICATIONS BUREAU
MOBILITY DIVISION
APPROVES WITHDRAWAL OF PETITION FOR DECLARATORY RULING**

By this Public Notice, the Mobility Division of the Wireless Telecommunications Bureau approves a Request to Withdraw a Petition for Declaratory Ruling filed by New Cingular Wireless PCS, LLC (New Cingular) on May 15, 2006 (Withdrawal Request).

New Cingular is the successor-in-interest to AT&T Wireless Services, Inc. (AWS). On April 8, 2004, AWS filed a Petition for Declaratory Ruling (Petition). In that Petition, AWS requested that the Commission affirm the right of AWS to collect microwave cost-sharing reimbursement from Pinpoint Communications, Inc. under Section 24.247(a) of the Commission rules¹ and an interpretation of that rule by the PCIA Microwave Clearinghouse known as the “immediate trigger” policy.²

On May 15, 2006, New Cingular, as AWS’s successor-in-interest, withdrew the Petition and requested that the Commission terminate this proceeding. The Mobility Division has reviewed the Withdrawal Request of New Cingular and finds that it raises no substantial or material questions of fact. Accordingly, pursuant to Sections 0.331, 1.2 and 1.8 of the Commission’s rules,³ the Mobility Division hereby approves the withdrawal of, and dismisses with prejudice, the Petition for Declaratory Ruling filed by AT&T Wireless Services, Inc. on April 8, 2004. All other pleadings filed in that matter are hereby deemed moot.

Action by the Associate Chief, Mobility Division.

FOR FURTHER INFORMATION CONTACT: Richard Arsenault, Chief Counsel, Mobility Division, at (202) 418-0920 or Richard.Arsenault@fcc.gov.

¹ 47 C.F.R. § 24.247(a).

² See “What is an immediate trigger?” at http://www.pcia.com/microwave/micro_faq.htm (site last accessed May 16, 2006).

³ 47 C.F.R. §§ 0.331, 1.2 & 1.8.