

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

In the Matter of)	
)	
SAMUEL MOSES)	FCC File Nos. 0000415681, 0002100058
Application To Operate an Industrial/Business)	
Station in the Private Land Mobile Radio)	
Services in Montrose, California; Application for)	
Assignment of Industrial/Business Station in the)	
Private Land Mobile Radio Services WPSI886,)	
Montrose, California;)	
)	
THOMAS K. KURIAN)	FCC File No. 0000681221
Application for Assignment of Industrial/Business)	
Station in the Private Land Mobile Radio Services)	
WPSI886, Montrose, California;)	
)	
KEVIN R. NIDA)	FCC File Nos. 0002134475, 0002134486
Application for Assignment of Industrial/Business)	
Stations in the Private Land Mobile Radio)	
Services WPSI886 and WQAK850, Montrose,)	
California;)	
)	
FM RADIO SERVICE LLC)	FCC File Nos. 0002075529, 0002084666
Application for Assignment of Industrial/Business)	
Stations in the Private Land Mobile Radio)	
Services WQCJ919 and WQCL258, Montrose,)	
California)	

ORDER ON FURTHER RECONSIDERATION

Adopted: October 3, 2006

Released: October 4, 2006

By the Acting Chief, Wireless Telecommunications Bureau:

1. *Introduction.* On January 16 and February 9, 2004, respectively, James A. Kay, Jr. (Kay)¹ and Radio Communications Association (RCA)² requested reconsideration of a January 9, 2004, decision³ by the Wireless Telecommunications Bureau (Bureau), Public Safety and Critical Infrastructure Division (Division) granting reconsideration of a September 16, 2002, decision⁴ by the Bureau's Public Safety and Private Wireless Division (PSPWD)⁵ and reinstating the authorization for Station WPSI886,

¹ Petition for Reconsideration filed by James A. Kay, Jr. (Jan. 16, 2004) (Kay PFR).

² Petition for Reconsideration of Order on Further Reconsideration filed by Radio Communications Association (Feb. 9, 2004) (RCA PFR).

³ Samuel Moses, *Order on Further Reconsideration*, 19 FCC Rcd 1 (WTB PSCID 2004) (2004 Order).

⁴ Samuel Moses, *Order on Reconsideration*, 17 FCC Rcd 17137 (WTB PSPWD 2002) (2002 Order).

⁵ The Commission reorganized the Bureau effective November 13, 2003, and the relevant duties of the Public Safety and Private Wireless Division were assumed by the Public Safety and Critical Infrastructure Division. See Reorganization of the Wireless Telecommunications Bureau, *Order*, 18 FCC Rcd 25414, 25414 ¶ 2 (2003).

Montrose, California. For the reasons set forth below, the petitions for reconsideration are granted in part. We also dismiss as moot requests filed by Kay⁶ and Mobile Relay Associates (MRA)⁷ that the license for Station WPSI886 be modified, and a petition filed by MRA for reconsideration of the grant of an application to assign the license for Station WPSI886 to Kevin R. Nida (Nida).⁸ In addition, we delete from Nida's licenses for Stations WPSI886 and WQAK850, Montrose, California, frequency pairs 471/474.7000, 471/474.7250, 471/474.8500, 471/474.8750, 472/475.1750, 472/475.2000, 472/475.2250, and 472/475.7250 MHz; and we direct FM Radio Services LLC (FM Radio) to cease operation on Stations WQCJ919 and WQCL258, Montrose, California, and return the authorizations to the Commission.

2. *Background.* On March 27, 2001, Samuel Moses (Moses) applied to operate a trunked Private Land Mobile Radio (PLMR) station in Montrose, California, in the Industrial/Business (I/B) Pool on frequency pairs 471/474.7000, 471/474.7250, 471/474.8500, 471/474.8750, 472/475.1750, 472/475.2000, 472/475.2250, 472/475.2750, 472/475.5500, and 472/475.7250 MHz.⁹ The United Telecom Council (UTC), an FCC-certified I/B frequency coordinator, coordinated the frequencies and submitted the application to PSPWD.¹⁰ The application received FCC File No. 0000415681. A second, identical application later appeared in the Commission's licensing database under FCC File No. 0000423812. On May 14, 2001, PSPWD granted application FCC File No. 0000415681, and issued Moses a license to operate trunked PLMR Station WPSI886 on the requested frequencies. Moses withdrew application FCC File No. 0000423812 on May 26, 2001.

3. On June 11, 2001, Kay requested dismissal or denial—or, if the application was granted before the request was received, reconsideration of the grant—of the application due to potential harmful interference to Kay's PLMR stations in the Los Angeles area.¹¹ Kay's request referenced application FCC File No. 0000423812, but not application FCC File No. 0000415681. On July 24, 2001, PSPWD asked UTC to explain its frequency recommendation for Station WPSI886 in light of the interference issues.¹² On July 31, 2001, UTC replied that additional technical studies revealed that use of the frequencies may cause interference and degradation in service to adjacent channel licensees, and it recommended that PSPWD set aside the grant of the license.¹³ On December 18, 2001, PSPWD consented to the assignment of the license for Station WPSI886 from Moses to Thomas K. Kurian (Kurian).¹⁴

⁶ Petition for License Modification filed by James A. Kay, Jr. (Jan. 14, 2004) (Kay Modification Request).

⁷ Request to Initiate Modification Proceedings filed by Mobile Relay Associates (Feb. 2, 2004) (MRA Modification Request).

⁸ Petition for Reconsideration filed by Mobile Relay Associates (June 8, 2005) (MRA Petition).

⁹ See FCC File No. 0000415681 (Mar. 27, 2001).

¹⁰ See FAC No. NV0UU01612.

¹¹ See Letter from Robert J. Keller, Esq., counsel to James Kay, to Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau, FCC (June 11, 2001). In addition, On June 8, 2001, Ted S. Henry filed an informal petition requesting that PSPWD set aside the grant of Moses's application. See Informal Petition filed by Henry Radio (June 8, 2001).

¹² See Letter from Mary Shultz, Chief, Licensing and Technical Analysis Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, Federal Communications Commission, to United Telecom Council (July 24, 2001).

¹³ See Letter from Renee McIlwain, Director of Spectrum Services, United Telecom Council, to Mary Shultz, Chief, Licensing and Technical Analysis Branch, Federal Communications Commission (July 31, 2001).

¹⁴ See FCC File No. 0000681221 (Dec. 4, 2001).

4. In an *Order* released September 16, 2002, PSPWD, based on UTC's recommendation, granted Kay's June 11, 2001, request, set aside the grant of the license for Station WPSI886, dismissed application FCC File No. 0000415681,¹⁵ and instructed Kurian to cease operation of the station.¹⁶ On October 15, 2002, Kurian requested reconsideration of the *2002 Order*, arguing, *inter alia*, that Kay's reconsideration request was procedurally defective, and that interference studies submitted with Kurian's petition demonstrated that Station WPSI886 would not cause interference to adjacent channel stations.¹⁷

5. In an *Order* released January 9, 2004, the Division granted Kurian's October 15, 2002, petition. It concluded that Kay's June 11, 2001, reconsideration request was procedurally defective because it sought reconsideration of the grant of application FCC File No. 0000423812 (which had been withdrawn), rather than application FCC File No. 0000415681.¹⁸ The Division determined that setting aside the license was thus inappropriate, so it restored the license for Station WPSI886 to active status.¹⁹

6. On January 14 and February 2, 2004, respectively, Kay²⁰ and MRA²¹ filed requests that the license for Station WPSI886 be modified pursuant to Section 316 of the Communications Act of 1934, as amended (the Act),²² by deleting channels that are short-spaced with Kay's and MRA's adjacent channel facilities. On January 16 and February 9, 2004, respectively, Kay²³ and RCA²⁴ requested reconsideration of the Division's *2004 Order* restoring the WPSI886 license to active status. Kay argues that he properly sought reconsideration of the license grant notwithstanding his reference to the incorrect file number,²⁵ and that the public interest justifies setting aside the authorization for Station WPSI886 because it is likely to cause interference to Kay's operations in the Los Angeles area.²⁶ RCA argues that Kay's June 11, 2001, reconsideration request was procedurally proper, because Moses submitted only one application, though it was assigned two file numbers.²⁷

7. On June 24, 2004, the Division granted Moses an additional license under Call Sign WQAK850 for the frequencies he requested in application FCC File No. 0000415681. On March 30, 2005, the Division consented to the assignment of the license for Station WPSI886 from Kurian to Moses.²⁸

8. On March 18, 2005, the Division consented to the partial assignment of the license for

¹⁵ See *2002 Order*, 17 FCC Rcd at 17138 ¶ 5.

¹⁶ See *id.* at 17138-39 ¶ 7.

¹⁷ See Petition for Reconsideration filed by Thomas K. Kurian (Oct. 15, 2002).

¹⁸ See *2004 Order*, 19 FCC Rcd at 3-4 ¶ 8. The Division did not address Kurian's other arguments. *Id.* at 4 n.28.

¹⁹ *Id.* at 4 ¶ 10.

²⁰ Kay Modification Request.

²¹ MRA Modification Request.

²² 47 U.S.C. § 316.

²³ Kay PFR. Kurian opposed the Kay PFR. See Opposition to Petition for Reconsideration filed by Thomas K. Kurian (Jan. 30, 2004) (Kurian Kay Opposition).

²⁴ RCA PFR. Kurian opposed the RCA PFR. See Opposition to Petition for Reconsideration filed by Thomas K. Kurian (Feb. 24, 2004) (Kurian RCA Opposition).

²⁵ See Kay PFR at 1-5.

²⁶ See *id.* at 2.

²⁷ See RCA PFR at 3-5.

²⁸ See FCC File No. 0002100058 (Mar. 25, 2005).

Station WPSI886—specifically, frequency pair 472/475.5500 MHz—from Kurian to FM Radio, under Call Sign WQCJ919.²⁹ On March 23, 2005, the Division consented to the partial assignment of the license for Station WQAK850—specifically, frequency pair 472/475.5500 MHz—from Moses to FM Radio, under Call Sign WQCL258.³⁰

9. On May 4, 2005, the Division consented to the assignment of the licenses for Stations WPSI886³¹ and WQAK850³² from Moses to Nida. On June 8, 2005, MRA requested reconsideration of the Division's consent to the assignment of the license for Station WPSI886 to Nida, noting that the interference concerns raised by MRA against the license for Station WPSI886 had not been resolved and that the license assignment was subject to the outcome of these issues.³³

10. *Discussion. Procedural issues.* As an initial matter, we agree with Kay and MRA that the Division erred in the *2004 Order* when it concluded that Kay's June 11, 2001, request was defective merely because it referenced application FCC File No. 0000423812 rather than application FCC File No. 0000415681.³⁴ As PSPWD concluded in the *2002 Order*, "Moses filed one application, which was given two different file numbers."³⁵ Kay filed a timely petition for reconsideration of the grant of that application. It should have been clear to the Division that Kay sought reconsideration of the grant of the license for Station WPSI886, regardless of which file number Kay listed in the petition.³⁶ We therefore reverse the decision in the *2004 Order*. That does not end the matter, however, because Kurian raised other objections to Kay's June 11, 2001, request, which the *2004 Order* did not address. We now turn to those issues.

11. First, Kurian argues³⁷ that the request is defective because Section 1.106(b)(1) of the Commission's Rules requires that a petition for reconsideration filed by a person who was not previously a party to the proceeding must "show good reason why it was not possible for him to participate in the earlier stages of the proceeding."³⁸ We conclude, however, that the fact that the application was neither placed on public notice (because it was a PLMR application) nor served on Kay constitutes a sufficient explanation for Kay's lack of earlier participation.³⁹

²⁹ See FCC File No. 0002075529 (Mar. 11, 2005).

³⁰ See FCC File No. 0002084666 (Mar. 14, 2005).

³¹ See FCC File No. 0002134475 (Apr. 25, 2005).

³² See FCC File No. 0002134486 (Apr. 25, 2005).

³³ See MRA Petition at 2-3.

³⁴ See Kay PFR at 1-5; RCA PFR at 3-5.

³⁵ See *2002 Order*, 17 FCC Rcd at 17138 ¶ 6.

³⁶ See, e.g., Alert Cable TV of North Carolina, Inc., d/b/a Time Warner Cable, *Memorandum Opinion and Order*, 18 FCC Rcd 12848, 12848 n.3 (MB PD 2003) (setting aside the dismissal of a petition for the petitioner's failure to respond to a Commission information request after it was determined that the petitioner had responded to the information request, but had submitted it under the wrong case number); Patrick Shannon, Esq., *Letter*, 18 FCC Rcd 11552 (WTB AIAD 2003) (granting a waiver of the upfront payment deadline with respect to a payment that was submitted timely but did not reach the Commission before the deadline because the wire transfer listed an incorrect Beneficiary Number).

³⁷ See Kurian Kay Opposition at 2, 5; Kurian RCA Opposition at 2, 4.

³⁸ 47 C.F.R. § 1.106(b)(1).

³⁹ See Pacific Gas and Electric Company, *Memorandum Opinion and Order*, 14 FCC Rcd 13400, 13404 ¶ 10 (WTB PSPWD 1999); see also Tektron Micro Electronics, Inc., *Order on Reconsideration*, 15 FCC Rcd 4438, 4439 ¶ 2 (WTB PSPWD 2000).

12. Next, Kurian asserts⁴⁰ that the request does not meet the requirement in Section 1.106(e) that a petition for reconsideration “based on a claim of electrical interference . . . be accompanied by an affidavit of a qualified radio engineer.”⁴¹ While the failure to file such an affidavit can be grounds for dismissal,⁴² we conclude that any such defect was cured when PSPWD obtained an engineering opinion from UTC, which satisfied the purpose of the requirement.⁴³ Consequently, the absence of an affidavit did not require dismissal of Kay’s request.

13. In addition, Kurian contends⁴⁴ that PSPWD was barred from granting Kay’s June 11, 2001, request because it did not act within ninety days, as required by Section 405(a) of the Act.⁴⁵ The Commission has previously rejected this argument,⁴⁶ and Kurian cites no authority to the contrary. He also argues⁴⁷ that PSPWD could not order him to cease operation of Station WPSI886 without affording him a revocation hearing pursuant Section 312 of the Act.⁴⁸ Again, we disagree. The procedural requirements associated with a Section 312 revocation are not germane to the grant of a timely petition for reconsideration.⁴⁹

14. Interference issues. Stations WPSI886, WQAK850, WQCJ919, and WQCL258 are authorized to operate on 12.5 kHz “offset” channels. In 1997, the Commission directed the certified frequency coordinators for the PLMR Services to reach a consensus on the applicable coordination procedures for the 12.5 kHz “offset” channels.⁵⁰ That consensus is embodied in the Land Mobile Communications Council (LMCC) procedures for evaluating adjacent channel interference in the 470-512 MHz band using the interference criteria of TIA/EIA/TSB-88 (TSB-88).⁵¹ The LMCC Consensus provides that an application shall not be certified if an incumbent or the applicant has unacceptable

⁴⁰ See Kurian Kay Opposition at 2, 5-6; Kurian RCA Opposition at 3, 4.

⁴¹ 47 C.F.R. § 1.106(e).

⁴² See Interstate Consolidation, Inc., *Memorandum Opinion and Order*, 15 FCC Rcd 3330, 3335 ¶ 13 (2000) (citing C.L. Tadlock, d.b.a. Tadlock’s Radio Dispatch, *Memorandum Opinion and Order*, 8 F.C.C. 2d 197 (1967) (*C.L. Tadlock*)).

⁴³ See *C.L. Tadlock*, 8 F.C.C. 2d at 199 ¶ 7 (“The reasons for the specificity required by section 1.106(e) are readily apparent. Electrical interference, unlike economic impact for example, is a matter usually capable of mathematical and graphical determination based upon accepted rules and standards.”).

⁴⁴ See Kurian Kay Opposition at 5; Kurian RCA Opposition at 5.

⁴⁵ 47 U.S.C. § 405(a).

⁴⁶ See Rebecca Radio of Marco, *Memorandum Opinion and Order*, 5 FCC Rcd 2913, 2913 n.3 (1990) (citing Citizens Committee v. FCC, 436 F.2d 263, 268 n.5 (D.C. Cir. 1970)).

⁴⁷ See Kurian RCA Opposition at 5.

⁴⁸ 47 U.S.C. § 312.

⁴⁹ See LocalOne Texas, Ltd., *Letter*, 20 FCC Rcd 13521, 13524 (MB 2005) (“None of the cases cited by LocalOne support its novel assertion that in order to grant a timely petition for reconsideration, which requests reversal of the grant of an application for a construction permit or license, the Commission must issue a show cause order pursuant to Section 312(c) of the Communications Act and conduct an evidentiary hearing before an Administrative Law Judge.”).

⁵⁰ See Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services, *Second Report and Order*, PR Docket No. 92-235, 12 FCC Rcd 14307, 14330-31 ¶ 43 (1997).

⁵¹ See Filing Freeze to be Lifted for Applications Under Part 90 for 12.5 kHz Offset Channels in the 421-430 and 470-512 MHz Bands, *Public Notice*, 13 FCC Rcd 5942, 5942 (WTB 1997) (citing Letter from Larry A. Miller, President, LMCC, to Daniel B. Phythyon, Esq., Acting Chief, Wireless Telecommunications Bureau (Sept. 10, 1997) (LMCC Consensus)).

interference of more than five percent reduction of the calculated service area reliability.⁵²

15. As noted above, UTC's technical studies concluded that use of the frequencies assigned to Station WPSI886 could cause unacceptable interference and degradation in service to adjacent channel licensees, while the studies submitted by Kurian indicated that no unacceptable interference would result. In light of these conflicting conclusions, Division engineering staff performed an analysis of the frequencies using the interference criteria of TSB-88. As set forth in the table below, nine of the ten channels initially assigned to Station WPSI886—including eight of the nine channels currently authorized to Nida under Call Signs WPSI886 and WQAK850, and the channel authorized to FM Radio under Call Signs WQCJ919 and WQCL258—are predicted to cause greater than five percent reduction of the calculated service area reliability of incumbent Kay and MRA stations. The results of the analysis, where service area reliability is degraded by more than five percent, are presented in the table below.

Base Frequency(ies) (MHz)	Station	Location No., Name	Frequency (MHz)	Predicted Degradation
NIDA	KAY			
471.7000, 471.7250	WIJ533	3 15525 Cabrito Rd.	471.7125	25.62%
471.7000, 471.7250	WIL733	2 2370 Junipero	471.7125	5.52%
471.7250	KJV843	3 2370 Junipero	471.7375	5.52%
471.7250	KJV843	6 15525 Cabrito Rd.	471.7375	25.62%
471.7250	WII755	2 Near Skyline Drive	471.7375	8.28%
471.7250	WII755	3 Rancho Palos Verdes	471.7375	14.82%
471.7250	WII755	6 Santa Monica Mts.	471.7375	7.42%
471.7250	WII755	7 3452 E. Foothill Blvd.	471.7375	34.73%
471.7250	WII755	8 15525 Cabrito Rd.	471.7375	25.62%
471.7250	WIL697	4 15525 Cabrito Rd.	471.7375	25.62%
471.8500, 471.8750	KJV843	3 2370 Junipero	471.8625	5.52%
471.8500, 471.8750	KJV843	6 15525 Cabrito Rd.	471.8625	25.62%
471.8500, 471.8750	WII905	2 Near Skyline Drive	471.8625	8.28%
471.8500, 471.8750	WII905	3 Rancho Palos Verdes	471.8625	14.82%
471.8500, 471.8750	WII905	4 Santa Monica Mts.	471.8625	7.42%
471.8500, 471.8750	WII905	5 3452 E. Foothill Blvd.	471.8625	34.73%
471.8500, 471.8750	WII905	6 15525 Cabrito Rd.	471.8625	25.62%
472.1750, 472.2000	WIH681	2 Palos Verdes Pen.	472.1875	14.82%
472.1750, 472.2000	WIH681	3 15525 Cabrito Rd.	472.1875	25.62%
472.2000, 472.2250	KJV843	3 2370 Junipero	472.2125	5.52%
472.2000, 472.2250	KJV843	6 15525 Cabrito Rd.	472.2125	25.62%
472.7250	WIK208	3 15525 Cabrito Rd.	472.7125	25.62%
FM RADIO	MRA			
472.5500	WQAD391	1 Saddle Peak Road	472.2625	7.62%

⁵² See LMCC Consensus, Attachment at 2.

Kay⁵³ and MRA⁵⁴ assert that Nida's remaining frequency pair, 472/475.2750 MHz, also should not have been authorized. We conclude, however, that the channel is predicted to cause and receive less than five percent reduction of the calculated service area reliability.⁵⁵

16. Consequently, we grant the Kay and RCA petitions for reconsideration with respect to the frequencies listed in the table, *supra*. Specifically, we will delete frequency pairs 471/474.7000, 471/474.7250, 471/474.8500, 471/474.8750, 472/475.1750, 472/475.2000, 472/475.2250, and 472/475.7250 MHz from the licenses for Stations WPSI866 and WQAK850, but Nida will continue to be authorized on frequency pair 472/475.2750 MHz. We will terminate FM Radio's licenses for Stations WQCJ919 and WQCL258, which have no assigned channels other than frequency pair 472/475.5500 MHz. We direct FM Radio to return the subject authorizations to the Commission. We note that while Nida and FM Radio were free to consummate their assignments, they did so subject to the risk that we would grant one or both of the pending petitions.⁵⁶

17. Our decision to grant the petitions for reconsideration, delete the frequencies listed in the table, *supra*, from the Nida licenses, and terminate the FM Radio licenses secures the relief that Kay and MRA have sought in this proceeding—protection from interference. Consequently, we dismiss as moot Kay and MRA's requests for modification of the license for Station WPSI886, and MRA's petition for reconsideration of the grant of the application to assign the license to Nida.

18. *Ordering Clauses.* ACCORDINGLY, IT IS ORDERED, pursuant to Sections 4(i) and 405 of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), 405, and Section 1.106 of the Commission's Rules, 47 C.F.R. § 1.106, that the petition for reconsideration filed by James A. Kay, Jr. on January 16, 2004, and the petition for reconsideration filed by Mobile Relay Associates on February 9, 2004, ARE GRANTED IN PART to the extent indicated above.

19. IT IS FURTHER ORDERED that frequency pairs 471/474.7000, 471/474.7250, 471/474.8500, 471/474.8750, 472/475.1750, 472/475.2000, 472/475.2250, and 472/475.7250 MHz SHALL BE DELETED from the licenses for Private Land Mobile Radio Service Stations WPSI866 and WQAK850, Montrose, California; and the licenses for Private Land Mobile Radio Service Stations WQCJ919 and WQCL258 SHALL BE TERMINATED.

20. IT IS FURTHER ORDERED that the Petition for License Modification filed by James A. Kay, Jr. on January 14, 2004, the Request to Initiate Modification Proceedings filed by Mobile Relay Associates on February 2, 2004, and the petition for reconsideration filed by Mobile Relay Associates on June 8, 2005, ARE DISMISSED AS MOOT.

21. IT IS FURTHER ORDERED that this *Order on Further Reconsideration* shall be served by certified mail, return receipt requested, upon Kevin J. Nida at the licensee's address of record, 3827 Foothill Blvd., La Crescenta, CA 91214, and upon FM Radio Services LLC at the licensee's address of

⁵³ See Kay Modification Request at 5.

⁵⁴ See MRA Modification Request at Ex. C.

⁵⁵ Specifically, with respect to the incumbent stations identified in the requests as being impacted by operations on frequency pair 472/475.2750 MHz, the Division engineering staff's analysis predicts the following reductions of the calculated service area reliability: WIL233 (formerly WIL653) site 1—3.77%, site 2—0.81%, site 3—1.35%; WIK983 site 1—3.88%; WIL469 site 1—3.88%; WIK581 site 1—2.98%; KWP438 site 1—2.69%.

⁵⁶ See, e.g., Transit Mix Concrete and Material Company, *Memorandum Opinion and Order*, 16 FCC Rcd 15005, 15007 ¶ 5 (2001); Improvement Leasing Co., *Memorandum Opinion and Order*, 73 F.C.C. 2d 676, 684 ¶ 19 (1979), *aff'd sub nom.* Washington Association for Television and Children v. FCC, 665 F.2d 1264 (D.C.Cir. 1981).

record, 3225 McLeod Drive, # 100, Las Vegas, NV 89121.

22. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Catherine W. Seidel
Acting Chief, Wireless Telecommunications Bureau