



Federal Communications Commission  
Washington, D.C. 20554

October 20, 2006

DA 06-2085

Michele C. Farquhar, Esq.  
Hogan & Hartson, L.L.P.  
555 Thirteenth Street, NW  
Washington, DC 20004

Re: Wireless Telecommunications, Inc. Request for Withdrawal of Petitions for Waiver Request

Dear Ms. Farquhar:

This letter grants the request of Wireless Telecommunications, Inc. ("WTCI") to withdraw its four petitions<sup>1</sup> seeking waiver of the installment payment deadline for certain Broadband Radio Service ("BRS")<sup>2</sup> Basic Trading Area ("BTA") licenses.

In its Requests for Waiver, WTCI asked the Commission to grant a waiver of the 180 day payment deadline for installment payments pursuant to Sections 1.2110(f)(4) and 1.2110(g)(4)(iv) of the Commission's rules.<sup>3</sup>

On December 22, 2005, WTCI filed a request with the Commission to withdraw its four Requests for Waiver in light of a settlement agreement dated June 3, 2005, between WTCI and the Commission.<sup>4</sup> On December 6, 2005, the U.S. Bankruptcy Court for the Middle District of Pennsylvania granted approval of this settlement agreement.<sup>5</sup>

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<sup>1</sup> See Wireless Telecommunications, Inc. Petition for Waiver Request for Late Acceptance of BTA Installment Payments for the Santa Barbara, CA, BTA 406, filed Feb. 28, 2001; Petition for Waiver Request for Late Acceptance of BTA Installment Payments for the Lynchburg, VA, BTA 266 and Salisbury, MD, BTA 398, dated May 31, 2001; Petition for Waiver Request for Late Acceptance of BTA Installment Payments for Thirty Days, Keene, NH, BTA 227 and the Lebanon, NH, BTA249, filed Aug. 31, 2001; Petition for Waiver Request for Late Acceptance of BTA Installment Payments for Thirty Days, Parkersburg, WV, BTA 342, filed Oct. 31, 2001. ("Requests for Waiver").

<sup>2</sup> On July 29, 2004, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking* that transforms the rules governing the Multipoint Distribution Service ("MDS") in order to encourage the deployment of broadband services by commercial and educational entities. 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 Advances Services in the 2150-2162 and 2500-2690 MHz Bands, *et. al.*; WT Docket Nos. 03-66, *et. al.*, *Report and Order and Further Notice of Proposed Rulemaking*, 19 FCC 14165 (2004). To better reflect the forward-looking vision for these services, the Commission renamed MDS as BRS. Because the new rules are now in effect, we will refer to the service by its new name.

<sup>3</sup> See 47 C.F.R. 1.2110(f)(4) and (g)(4)(iv).

<sup>4</sup> Request of Wireless Telecommunications, Inc., Debtor-in-Possession For Approval to Withdraw Certain Pleadings, dated December 22, 2005.

<sup>5</sup> See *In re Wireless Telecommunications, Inc.*, Case No. 5-02-03994 (JJT) (December 6, 2005).

*Michele C. Farquhar, Esq.*

Having reviewed the facts and circumstances surrounding WTCI's withdrawal request, we conclude that grant of this request would be in the public interest. Accordingly, the withdrawal request filed by WTCI is granted, and WTCI's Requests for Waiver are dismissed with prejudice. This action is taken pursuant to authority delegated by Section 0.331 of the Commission's rules, 47 C.F.R. § 0.331.

Sincerely,

Margaret W. Wiener, Chief  
Auctions and Spectrum Access Division  
Wireless Telecommunications Bureau