



Federal Communications Commission
Washington, D.C. 20554

June 26, 2009

DA 09-1455

Angela C. Parsons, Esq.
Regulatory Staff Attorney
FiberTower Corporation
1667 K Street, N.W., Suite 250
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Dear Ms. Parsons:

On June 16, 2008, FiberTower Corporation (FiberTower) filed a request¹ to withdraw a petition² opposing conditional authority for applications for Microwave Industrial/Business Pool stations filed by Metropolitan Area Networks, Inc. (MAN). For the reasons stated below, we grant the Withdrawal Request.

We have reviewed the Withdrawal Request and find that FiberTower has made the certifications required by Section 1.935(a) of the Commission's Rules.³ Furthermore, we find that withdrawal of the Petition would be in the public interest because it would terminate litigation concerning the applications in question.

Accordingly, IT IS ORDERED, pursuant to Sections 4(i) and 309 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 309, and Section 1.935 of the Commission's Rules, 47 C.F.R. § 1.935, that the request to withdraw petition filed by FiberTower Corporation on June 16, 2008 IS APPROVED, and the Petition to Oppose Metropolitan Area Networks' Filing for Conditional Authority filed by FiberTower Corporation on February 16, 2008 IS DISMISSED with prejudice.

IT IS FURTHER ORDERED, pursuant to Sections 4(i) and 309 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 309, and Section 1.935 of the Commission's Rules, 47 C.F.R. § 1.935, that the licensing staff of the Broadband Division SHALL PROCESS the applications filed by

¹ Letter from Angela C. Parsons, Regulatory Staff Attorney, FiberTower Corporations to Jim Schlichting, Acting Chief, Wireless Telecommunications Bureau (filed Jun. 16, 2008) Withdrawal Request).

² Petition to Oppose Metropolitan Area Networks' Filing for Conditional Authority (filed Feb. 16, 2008) (Petition).

³ 47 C.F.R. § 1.935(a).

Angela C. Parsons, Esq.

Metropolitan Area Networks, Inc. (File Nos. 0003291522, 0003291527, 0003291528, and 0003291529), as amended, in accordance with this letter and the Commission's Rules and policies.

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

John J. Schauble
Deputy Chief, Broadband Division
Wireless Telecommunications Bureau

cc: Mr. William Chastain
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