



FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

July 7, 2009

DA 09-1507

Via First Class Mail and Facsimile

E. Ashton Johnston
Joanna I. Georgatsos
Lampert, O'Connor & Johnston, P.C.
1776 K Street, N.W.
Suite 700
Washington, DC 20006

**Re: Application of Harinder R. Kumra d/b/a Entertainment Unlimited and
Cellco Partnership for Assignment of Authorization, Call Sign KNLG743,
File No. 0003846143
Stephen Kaffee and Richard Rodriguez Motion To Offline Application and
Hold in Abeyance, and To Extend the Petition To Deny Period**

Dear Mr. Johnston and Ms. Georgatsos:

On July 1, 2009, you filed on behalf of Stephen Kaffee and Richard Rodriguez ("Movants"), a Motion to Offline Application and Hold in Abeyance, and To Extend the Petition To Deny Period ("PTD Extension Motion")¹ with respect to the above-referenced application to assign Call Sign KNLG743 from Harinder R. Kumra d/b/a Entertainment Unlimited to Cellco Partnership ("EU-Verizon Wireless Application"). The EU-Verizon Wireless Application was filed on May 22, 2009, amended June 18, 2009, and placed on public notice as accepted for filing on June 24, 2009.² Petitions to deny the EU-Verizon Wireless Application currently are due July 8, 2009.

The PTD Extension Motion seeks an extension of the petition to deny filing date from July 8, 2009 until July 24, 2009.³ The Movants note that the parties to a related federal False

¹ The PTD Extension Motion was filed in a public, redacted version and in a confidential, unredacted version subject to the assertion that "[a] redacted version of this Motion is being submitted to comply with the seal requirements of the False Claims Act, 31 U.S.C. § 3730(b)(2), and of the federal district court having jurisdiction over the Complaint." PTD Extension Motion at 2 n.4. Citations in this letter to the PTD Extension Motion are to the public, redacted version.

² Wireless Telecommunications Bureau Assignment of License Authorization Applications, Transfer of Control of Licensee Applications, and *De Facto* Transfer Lease Applications, and Designated Entity Reportable Eligibility Event Applications Accepted for Filing, *Public Notice*, Report No. 5058 (rel. June 24, 2009).

³ PTD Extension Motion at 4.

Claims Act⁴ are engaged in settlement discussions, and that the requested extension of the petition to deny filing date should “provide sufficient time for Government review of settlement, should settlement be reached.”⁵ The Movants further assert that “[f]urther adversarial filings would have a potentially disruptive effect on settlement discussions at this time” and would be a burden to both the parties and the Commission.⁶

We hereby grant the requested extension of time for the filing of petitions to deny regarding the EU-Verizon Wireless Application until July 24, 2009. We find that the public interest would be served by affording interested parties additional time to file any petitions to deny in light of the current ongoing settlement discussions that may serve to resolve issues that otherwise might be raised in a petition to deny. Granting the extension of time will not prejudice the parties to the above-referenced application and may in fact reduce the burden on the parties and the Commission.

Accordingly, the date for filing petitions to deny is extended until July 24, 2009. 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.

Sincerely,

Katherine M. Harris
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

cc: Robert M. Jackson
Susan Trosch

⁴ United States *ex rel.* Stephen Kaffee and Richard Rodriguez v. Raveesh K. Kumra *et al.*, No. 07-00857 (D.D.C.) (Amended Complaint).

⁵ PTD Extension Motion at 4.

⁶ *Id.*