



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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DA 10-530
March 26, 2010

TEXAS 10, LLC AND AT&T INC. SEEK FCC CONSENT TO ASSIGN LICENSES AND AUTHORIZATIONS

WT Docket No. 10-78

PLEADING CYCLE ESTABLISHED

Petitions to Deny Due: April 26, 2010
Oppositions Due: May 6, 2010
Replies Due: May 13, 2010

I. INTRODUCTION

Texas 10, LLC (“Texas 10”) and AT&T Inc. (“AT&T” and, together with Texas 10, the “Applicants”) have filed a series of applications pursuant to Sections 214 and 310(d) of the Communications Act of 1934, as amended (the “Applications”).¹ In the Applications, the Applicants seek Commission approval of the assignment of certain wireless licenses and related authorizations in Louisiana to Texas 10. These licenses and authorizations are currently held by Centennial Southeast License Company LLC (“Centennial Southeast”) and Centennial Communications Corp. (“Centennial”). The Applicants state that these transactions will satisfy some of AT&T’s obligations under the *AT&T-Centennial Order* to divest certain Centennial licenses and operations in Louisiana and Mississippi.² These assignment applications pertain to licenses for the Part 22 Cellular Radiotelephone Service and the Part 101 Common Carrier Fixed Point-to-Point Microwave Service, as well as international Section 214 authorizations.

The Applicants propose to accomplish these transactions through the assignment of the relevant licenses (and related assets) currently held by Centennial Southeast and its affiliates to Independence III Newco, LLC (“Independence III”), a newly-formed, wholly-owned indirect subsidiary of AT&T. Simultaneously, AT&T will transfer its interest in Independence III to Texas 10, thereby causing control of Independence III, and all of its FCC licenses and authorizations, to be transferred to Texas 10.

¹ 47 U.S.C. §§ 214, 310(d).

² Applications of AT&T Inc. and Centennial Communications Corp. for Consent to Transfer Control of Licenses, Authorizations, and Spectrum Leasing Arrangements, *Memorandum Opinion and Order*, 24 FCC Rcd 13915, 13961 ¶ 111 (2009).

Centennial will also assign certain customer relationships related to the provision of international services to Texas 10.

II. SECTION 310(d) APPLICATIONS

The following applications for consent to the assignment of certain wireless radio services licenses from AT&T's subsidiary Centennial Southeast to Independence III, as owned and controlled by Texas 10, have been assigned the file numbers listed below.

<u>File No.</u>	<u>Licensee</u>	<u>Lead Call Sign</u>
0004139682 ³	Centennial Southeast License Company LLC	KNKA813
0004139683	Centennial Southeast License Company LLC	WMT282

III. INTERNATIONAL SECTION 214 AUTHORIZATIONS

The following application for consent to the partial assignment of international Section 214 authorizations held by Centennial to Texas 10 has been assigned the file number listed below.

<u>File No.</u>	<u>Authorization Holder</u>	<u>Authorization Number</u>
ITC-ASG-20100205-00080	Centennial Communications Corp.	ITC-214-19970923-00579 ITC-214-20000817-00545

IV. EX PARTE STATUS OF THIS PROCEEDING

Pursuant to Section 1.1200(a) of the Commission's rules,⁴ the Commission may adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires. We announce that this proceeding will be governed by permit-but-disclose *ex parte* procedures that are applicable to non-restricted proceedings under section 1.1206 of the Commission's rules.⁵

Parties making oral *ex parte* presentations are directed to the Commission's statement reemphasizing the public's responsibility in permit-but-disclose proceedings and are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁶ More than a one- or two-sentence description of the views and arguments presented is generally required.⁷ Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well.⁸ We urge parties to use the Electronic Comment Filing System ("ECFS") to file *ex parte* submissions.⁹

³ This application is the lead application for the wireless radio services.

⁴ 47 C.F.R. § 1.1200(a).

⁵ *Id.* § 1.1206.

⁶ See Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁷ See 47 C.F.R. § 1.1206(b)(2).

⁸ *Id.* § 1.1206(b).

⁹ See discussion *infra* Part V.

V. GENERAL INFORMATION

The assignment applications referenced herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules or policies. Final action on these applications will not be taken earlier than thirty-one days following the date of this Public Notice.¹⁰

Interested parties must file petitions to deny no later than April 26, 2010. Persons and entities that file petitions to deny become parties to the proceeding. They may participate fully in the proceeding, including seeking access to any confidential information that may be filed under a protective order, seeking reconsideration of decisions, and filing appeals of a final decision to the courts. Oppositions to such pleadings must be filed no later than May 6, 2010. Replies to such pleadings must be filed no later than May 13, 2010. All filings concerning matters referenced in this Public Notice should refer to DA 10-530 and WT Docket No. 10-78, as well as the specific file numbers of the individual applications or other matters to which the filings pertain.

Under the Commission's current procedures for the submission of filings and other documents,¹¹ submissions in this matter may be filed electronically (*i.e.*, through ECFS) or by hand delivery to the Commission.

- **If filed by ECFS,**¹² comments shall be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail.
- **If filed by paper,** the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings), to: (1) the Commission's duplicating contractor, Best Copy and Printing, Inc., at FCC@BCPIWEB.COM or

¹⁰ See 47 U.S.C. § 309(b).

¹¹ See Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, *Order*, 16 FCC Rcd 21483 (2001); FCC Announces Change in Filing Location for Paper Documents, *Public Notice*, 24 FCC Rcd 14312 (2009).

¹² See Electronic Filing of Documents in Rulemaking Proceedings, GC Docket No. 97-113, *Report and Order*, 13 FCC Rcd 11322 (1998).

(202) 488-5563 (facsimile); (2) Kathy Harris, Mobility Division, Wireless Telecommunications Bureau, at kathy.harris@fcc.gov or (202) 418-7447 (facsimile); (3) Stacy Ferraro, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at stacy.ferraro@fcc.gov or (202) 418-7447 (facsimile); (4) Linda Ray, Broadband Division, Wireless Telecommunications Bureau, at linda.ray@fcc.gov or (202) 418-8188 (facsimile); (5) David Krech, Policy Division, International Bureau, at david.krech@fcc.gov or (202) 418-2824 (facsimile); and (6) Neil Dellar, Office of General Counsel, at neil.dellar@fcc.gov or (202) 418-1234 (facsimile).

Copies of the applications and any subsequently-filed documents in this matter may be obtained from Best Copy and Printing, Inc. in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. The applications and any associated documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The applications are also available electronically through the Commission's ECFS, which may be accessed on the Commission's Internet website at <http://www.fcc.gov>. In addition, applications filed under Parts 22 and 101 of the Commission's rules are available electronically through ULS, which may be accessed on the Commission's Internet website. Finally, the international Section 214 applications are available electronically through the Commission's IBFS, which may be accessed on the Commission's Internet website. Additional information regarding the transaction will be available on the FCC's Office of General Counsel's website, <http://www.fcc.gov/ogc>, which will contain a fully indexed, unofficial listing and electronic copies of all materials in this docket. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY). Contact the FCC to request reasonable accommodations for filing comments (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov; phone: 202-418-0530 or TTY: 202-418-0432

For further information, contact Kathy Harris, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-0609, or Stacy Ferraro, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at (202) 418-0795.

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