

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

In the Matter of
RIO TINTO AMERICA INC.
and
ALCAN CORPORATION
Parent Companies of Various Subsidiary
Companies Holding Various Authorizations in
the Wireless Radio Services
File No. EB-09-IH-1665
Acct. No. 201232080009
FRN No. 0019120237
FRN No. 0019227933

ORDER

Adopted: December 14, 2011

Released: December 14, 2011

By the Chief, Enforcement Bureau:

1. In this Order, we adopt the attached Consent Decree entered into between the Enforcement Bureau ("Bureau"), Rio Tinto America Inc. ("Rio Tinto"), and Alcan Corporation ("Alcan"). The Consent Decree terminates an investigation by the Bureau into possible violations by Rio Tinto and Alcan of Section 310(d) of the Communications Act of 1934, as amended (the "Act"), and Section 1.948 of the Commission's rules ("Rules"), relating to the requirement that Commission approval be obtained prior to assignment or transfer of control of wireless radio station licenses; and Section 301 of the Act, and Sections 1.903 and 1.949(a) of the Rules, relating to the authorized operation of stations and equipment in the wireless radio services, and the timely filing of renewal applications.

2. The Bureau, Rio Tinto, and Alcan have negotiated the terms of a Consent Decree that resolves this matter. A copy of the Consent Decree is attached hereto and incorporated by reference.

3. After reviewing the terms of the Consent Decree and evaluating the facts before us, we find that the public interest would be served by adopting the Consent Decree and terminating the investigation.

4. In the absence of material new evidence relating to this matter, we conclude that our investigation raises no substantial or material questions of fact as to whether Rio Tinto and Alcan possess

1 47 U.S.C. § 310(d).

2 47 C.F.R. § 1.948.

3 47 U.S.C. § 301.

4 47 C.F.R. §§ 1.903, 1.949(a).

the basic qualifications, including those related to character, to hold or obtain any Commission license or authorization.

5. Accordingly, **IT IS ORDERED** that, pursuant to section 4(i) of the Act,⁵ and sections 0.111 and 0.311 of the Rules,⁶ the Consent Decree attached to this Order **IS ADOPTED**.

6. **IT IS FURTHER ORDERED** that the above-captioned investigation **IS TERMINATED**.

7. **IT IS FURTHER ORDERED** that a copy of this Order and Consent Decree shall be sent by first class mail and certified mail, return receipt requested, to counsel for Rio Tinto and Alcan, Catherine C. Butcher, Esq., Butcher Feigen, LLC, 9116 Cranford Drive, Potomac, MD 20854.

FEDERAL COMMUNICATIONS COMMISSION

P. Michele Ellison
Chief, Enforcement Bureau

⁵ 47 U.S.C. § 154(i).

⁶ 47 C.F.R. §§ 0.111, 0.311.