



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 TWELFTH STREET, S.W.  
WASHINGTON, D.C. 20554

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## VERIZON WIRELESS AND LEAP WIRELESS SEEK FCC CONSENT TO THE EXCHANGE OF LOWER 700 MHz BAND A BLOCK, AWS-1, AND PERSONAL COMMUNICATIONS SERVICE LICENSES

ULS File Nos. 0004942973, 0004942992, 0004952444, 0004949596, and 0004949598

### PLEADING CYCLE ESTABLISHED

**Petitions to Deny Due:** December 28, 2011  
**Oppositions Due:** January 9, 2012  
**Replies Due:** January 17, 2012

### I. INTRODUCTION

Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”), and Leap Wireless International Inc. (“Leap Wireless”),<sup>1</sup> collectively, the “Applicants,” have filed a series of applications pursuant to Section 310(d) of the Communications Act of 1934, as amended,<sup>2</sup> seeking approval to assign spectrum licenses. The Applicants request consent to assign the 700 MHz Lower Band Block A license for the Chicago BEA from Verizon Wireless to Leap Wireless.<sup>3</sup> In addition, Leap Wireless will assign to Verizon Wireless 23 PCS licenses and 13 AWS-1 licenses in full; disaggregated portions of one PCS license and one AWS-1 license; and partitioned portions of three AWS-1 licenses.<sup>4</sup>

The Applicants state that the assignment of licenses will enable Verizon Wireless to add spectrum capacity in some markets that will help address the rapidly growing demand of its customers for broadband wireless services. The Applicants also state that Leap Wireless is in need of the additional spectrum in the Chicago area to expand its service offerings and to deploy LTE network technology, which will allow it to offer improved broadband data services and to continue to compete with other carriers in that market. Finally, the Applicants explain that the proposed transactions involve the sale of

<sup>1</sup> Leap Wireless International, Inc. holds a direct 100 percent ownership interest in Cricket Communications, Inc. Cricket Communications, Inc. holds a 100 percent ownership interest in Cricket License Company, LLC and an 85 percent ownership interest in Savary Island License A, LLC and Savary Island License B, LLC. *See* FCC 602 Ownership Disclosure Information for the Wireless Telecommunications Services, File No. 0004963672 (filed Nov. 21, 2011). The instant applications are filed by Savary Island License A, LLC (File No. 0004942973), Savary Island License B, LLC (File No. 0004942992), and Cricket License Company, LLC (File Nos. 0004952444, 0004949596, and 0004949598).

<sup>2</sup> 47 U.S.C. § 310(d).

<sup>3</sup> *See* File No. 0004952444.

<sup>4</sup> *See* File Nos. 0004942973, 0004942992, 0004949596, and 0004949598.

excess spectrum in the subject markets, and the transactions will not affect the existing operations of either carrier or involve any customer transition issues.

Preliminary review of the applications indicates that the proposed transfer of licenses would result in Verizon Wireless acquiring between 10-30 megahertz of spectrum in 204 CMAs. Leap Wireless would acquire 12 megahertz of spectrum in 13 CMAs.

## II. SECTION 310(d) APPLICATIONS

The following applications for consent to the assignment licenses have been assigned the following file numbers:

<u>File No.</u>	<u>Licensee</u>	<u>Assignee</u>	<u>Lead Call Sign</u>
0004942973	Savary Island License A, LLC	Cellco Partnership	WQNH801
0004942992	Savary Island License B, LLC	Cellco Partnership	WQNH802
0004952444	Cellco Partnership	Cricket License Company, LLC	WQJQ707
0004949596	Cricket License Company, LLC	Cellco Partnership	WPOJ687
0004949598	Cricket License Company, LLC	Cellco Partnership	KNLF376

## III. EX PARTE STATUS OF THIS PROCEEDING

Pursuant to Section 1.1200(a) of the Commission's rules,<sup>5</sup> the Commission may adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires.<sup>6</sup> 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.<sup>7</sup>

Parties making oral *ex parte* presentations are directed to the Commission's revised *ex parte* rules. Parties are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.<sup>8</sup> More than a one- or two-sentence description of the views and arguments presented is generally required.<sup>9</sup> Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.<sup>10</sup>

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<sup>5</sup> 47 C.F.R. § 1.1200(a).

<sup>6</sup> On February 1, 2011, the Commission adopted a Report and Order amending and revising the Commission's rules on *ex parte* presentations. Amendment of the Commission's *Ex Parte* Rules and Other Procedural Rules, GC Docket No. 10-43, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 11-11 (rel. Feb. 2, 2011). The revised rules were published in the Federal Register on May 2, 2011, and went into effect June 1, 2011. *See* 76 Fed. Reg. 24376 (May 2, 2011).

<sup>7</sup> 47 C.F.R. § 1.1206.

<sup>8</sup> *See* 47 C.F.R. § 1.1206(b)(1).

<sup>9</sup> *See id.*

<sup>10</sup> *Id.* § 1.1206(b).

#### IV. 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.

Interested parties must file petitions to deny no later than **December 28, 2011**. 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 **January 9, 2012**. Replies to such pleadings must be filed no later than **January 17, 2012**. All filings concerning matters referenced in this Public Notice should refer to ULS File Nos. 0004942973, 0004942992, 0004952444, 0004949596, and/or 0004949598 as appropriate.

Under the Commission's current procedures for the submission of filings and other documents,<sup>11</sup> submissions in this matter may be filed electronically (*i.e.*, through the Commission's Universal Licensing System ("ULS")) or by hand delivery to the Commission.

- **If filed by ULS**, pleadings may be filed via <https://wireless2.fcc.gov/UlsEntry/pleadings/pleadingsType.jsp>.
- **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, D.C. 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](mailto:FCC@BCPIWEB.COM) or (202) 488-5563 (facsimile); (2) Kathy Harris, Mobility Division, Wireless Telecommunications Bureau, at [kathy.harris@fcc.gov](mailto:kathy.harris@fcc.gov) or (202) 418-7447 (facsimile); (3) Kate Matraves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at [catherine.matraves@fcc.gov](mailto:catherine.matraves@fcc.gov) or (202) 418-7447 (facsimile); and (4) Jim Bird, Office of General Counsel, at [jim.bird@fcc.gov](mailto:jim.bird@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](mailto:FCC@BCPIWEB.COM). The applications and any associated documents are also available for public

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<sup>11</sup> See FCC Announces Change in Filing Location for Paper Documents, *Public Notice*, 24 FCC Red 14312 (2009).

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 ULS, which may be accessed on the Commission's Internet website. 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](mailto: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](mailto: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 Kate Mataves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at (202) 418-7878.

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