**DA 14-1480**

**Released: October 10, 2014**

**WIRELESS TELECOMMUNICATIONS BUREAU APPROVES SETTLEMENT BETWEEN SNAPPING SHOALS ELECTRIC MEMBERSHIP CORPORATION AND COLORADO CALLCOMM, INC. REGARDING CALL SIGN WPMI283**

 By this Public Notice, the Wireless Telecommunications Bureau (“Bureau”) approves a settlement between Snapping Shoals Electric Membership Corporation (“Snapping Shoals”) and Colorado CallComm, Inc. (“Colorado CallComm”) regarding call sign WPMI283, held by Colorado CallComm. Pursuant to their agreement, Snapping Shoals has agreed to dismiss a petition filed with respect to this call sign, and Colorado CallComm has agreed to modify the license for this call sign to delete two locations.[[1]](#footnote-1)

Snapping Shoals filed a Request for Partial Revocation or Cancellation of License and For Partial Set-Aside of Consent to Assignment with respect to call sign WPMI283 on September 7, 2007 (“Revocation Request”). The Revocation Request sought cancellation of Colorado CallComm’s authority to operate on channels 938/899.9875, 939/900.000, 939/900.9125, and 939/900.9250 MHz in the Atlanta area.[[2]](#footnote-2) These frequencies are associated with Locations 6 and 7 of call sign WPMI283. Snapping Shoals filed a Supplement to Request for Partial Revocation or Cancellation of License on June 27, 2014, to update the Commission on the status of operations and request that the Commission proceed to resolve the issues raised by the Revocation Request. The parties filed the Settlement Request on August 25, 2014.

We review the Settlement Request under section 1.935 of the Commission’s rules.[[3]](#footnote-3) Section 1.935 requires parties that enter into an agreement involving the filing of a pleading against an application or authorization and then seek to withdraw the pleading to first obtain Commission approval. As part of the request for Commission approval, the parties must submit certifications that confirm that any payment of money or consideration will not exceed the legitimate and prudent expenses associated with preparation and prosecution of the relevant filings, identify the nature and amount of any consideration, and either provide a copy of any written agreement or summarize the terms of any oral agreement. We have reviewed the Settlement Request and related certifications, and find that our approval will serve the public interest by permitting the resolution of a dispute regarding the use of the frequencies identified above.

We accordingly approve Snapping Shoals’ request to withdraw its Revocation Request and related Supplement. We will grant the request of Colorado CallComm to delete Locations 6 and 7 from call sign WPMI283 upon Colorado CallComm’s submission of an application to modify its license to delete those locations in the Commission’s Universal Licensing System.

For further information, please contact Kathy Harris, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-0609 or kathy.harris@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, taken pursuant to sections 1, 308, and 309 of the Communications Act, and sections 0.331, 1.3, and 1.935 of the Commission’s rules.[[4]](#footnote-4)

1. *See* Request to Withdraw Petition and To Modify License – WPMI283; Snapping Shoals Electric Corporation/Colorado CallComm, Inc. (filed Aug. 25, 2014) (“Settlement Request”). [↑](#footnote-ref-1)
2. The Revocation Request also sought partial set-aside of the Commission’s consent to the assignment of this license to FCI 900, Inc. *See* ULS File No. 0003048164. This application was dismissed on January 3, 2008, for failure to notify the Commission of the consummation of the approved transaction. Thus, this portion of the Revocation Request is moot. [↑](#footnote-ref-2)
3. 47 C.F.R. § 1.935. [↑](#footnote-ref-3)
4. 47 U.S.C. §§ 151, 308, and 309; 47 C.F.R. §§ 0.331, 1.3, and 1.935. [↑](#footnote-ref-4)