



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01262NS

Tuesday April 29, 2008

**NON STREAMLINED INTERNATIONAL APPLICATIONS/PETITIONS ACCEPTED FOR FILING
Section 214 Applications (47 C.F.R. § 63.18); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16)
and Section 310(b)(4)**

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: 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 & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

Pacific Telecom Inc. (Pacific Telecom or "Petitioner") seeks a declaratory ruling that it is in the public interest for the Commission to extend Pacific Telecom's existing declaratory rulings under section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4), to cover a common carrier earth station license in Guam and common carrier Local Multipoint Distribution Service (LMDS) licenses in the Commonwealth of the Northern Mariana Islands (CNMI). Pacific Telecom states that its existing declaratory rulings cover a cellular license and a common carrier earth station in the CNMI, and a PCS license in the CNMI and Guam. See DA 03-3563 and DA 06-2197. Pacific Telecom filed its petition as part of the proposed assignment of IT&E Overseas, Inc.'s radio licenses to PTI Pacifica Inc. (PTI Pacifica), Petitioner's wholly-owned subsidiary. See ULS File No. 0003356838.

PTI Pacifica is a CNMI corporation that is a wholly-owned subsidiary of the Micronesian Telecommunications Corporation (MTC), a CNMI corporation. MTC in turn is wholly owned by Pacific Telecom, also a CNMI corporation. Pacific Telecom is majority-owned (75%) by Prospector Investments Ltd., a company organized under the laws of the Cayman Islands, British West Indies. Prospector is owned by two related individuals, both of whom are citizens of the Republic of the Philippines: (1) Ricardo C. Delgado (60% equity and voting interest), and (2) Jose Ricardo Delgado (40% equity and voting interest). The remaining ownership interests in Pacific Telecom are held by: (1) Sumitomo Corporation, a company organized under the laws of Japan (20%), and (2) Sumitomo Corporation's U.S.-incorporated subsidiary, Sumitomo Corporation of America (5%).

Petitioner asserts that because Pacific Telecom's ultimate ownership is substantively the same since the 2006 ruling, DA 06-2197, no new foreign issues are raised in this petition.

PTI Pacifica, on behalf of MTC and Pacific Telecom, requests that the Commission condition grant of the assignment application on compliance with the terms of the Agreement between MTC and Pacific Telecom, and the U.S. Department of Justice, Federal Bureau of Investigation, U.S. Department of Defense, and U.S. Department of Homeland Security dated October 6, 2003, pursuant to Section 7.2 of that Agreement. See ULS File No. 0003356838, Exhibit 1 at 6.

Petition for Declaratory Ruling

United Wireless Holdings Inc. (Holdings or the "Petitioner"), a Delaware corporation, requests a declaratory ruling pursuant to section 310(b)(4) of the Communications Act of 1934, as amended, permitting Holdings to acquire 100 percent ownership of United Spectrum Management Services LLC (United Spectrum). Holdings, which currently owns 20 percent ownership interest in United Spectrum, is wholly owned by Mr. Andrew Fitton, a citizen of the United Kingdom.

United Spectrum provides wholesale data services using spectrum in the 900 MHz band under a long-term de facto transfer lease. In addition, its newly formed subsidiary, SkyTel Spectrum LLC (United Sub), has filed an application for assignment to United Sub of wireless licenses that it will use for the provision of paging and narrowband personal communications services to the public. Holdings filed its petition in connection with the proposed transfer of control of United Spectrum to Holdings (ULS 0003385641) and the proposed assignment of licenses to United Sub (ULS 0003385370).

Holdings requests that the Commission commence review and processing of the petition and the associated transfer and assignment application, but that dispositive action be deferred pending notification to the Commission that any issues identified by the Executive Branch Agencies have or have not been resolved and requesting appropriate action by the Commission.

The Petitioner asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 18158 (2000), indirect foreign ownership of United Spectrum and United Sub in excess of the 25 percent benchmark in Section 310(b)(4) of the Act is consistent with the public interest.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>