

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

**FILED/ACCEPTED
MAY - 1 2007**

*Federal Communications Commission
Office of the Secretary*

In the Matter of)	File Nos:
)	ITC-T/C-20070309-00102,
SunCom Wireless, Inc.,)	0002914078, 0002914081
Transferor)	ISP-PDR-20070309-00003
)	
And)	
)	
SunCom Wireless Holdings, Inc.,)	
Transferee)	
)	
Application for Consent)	
to Transfer of Control and)	
Petition for Declaratory Ruling)	

**PETITION TO ADOPT CONDITIONS TO
AUTHORIZATIONS AND LICENSES**

The Department of Homeland Security (“DHS”), with the concurrence of the Department of Justice (“DOJ”) and the Federal Bureau of Investigation (“FBI”) (collectively, the “Agencies”), respectfully submit this Petition to Adopt Conditions to Authorizations and Licenses (“Petition”), pursuant to Section 1.41 of the Federal Communications Commission (“FCC” or “Commission”) rules.¹ Through this Petition, the Agencies advise the Commission that they have no objection to the Commission granting its consent in the above-referenced proceeding, provided that the Commission conditions the grant on SunCom Wireless Holdings, Inc. (“SunCom”) abiding by the commitments and undertakings contained in its April 20, 2007 letter to Sigal P. Mandelker, Stewart A. Baker, and Elaine N. Lammert (the “Letter”) attached hereto as Exhibit 1.

In the above-captioned proceedings, SunCom and SunCom Wireless, Inc.

¹ 47 C.F.R. § 1.41.

(together the “Applicants”) have sought Commission consent to the transfer of control of SunCom Wireless, Inc. (“SunCom Wireless”) to SunCom, and have filed a petition for declaratory ruling under Section 310(b)(4) of the Act.²

As the Commission is aware, the Agencies have taken the position that their ability to satisfy their obligations to protect the national security, enforce the laws, and preserve the safety of the public could be impaired by transactions in which foreign entities will own or operate a part of the U.S. telecommunications system, or in which foreign-located facilities will be used to provide domestic telecommunications services to U.S. customers. After discussions with representatives of SunCom and SunCom Wireless in connection with the proposed transfer of Control of SunCom Wireless that holds FCC authorizations to SunCom, the Agencies have concluded that the commitments set forth in the Letter will help ensure that the Agencies and other entities with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed in a legal, secure, and confidential manner to satisfy these responsibilities. Accordingly, the Agencies hereby advise the Commission that they have no objection to the Commission granting the above-referenced Applications, provided that the Commission conditions its consent on compliance by SunCom with the commitments set forth in the Letter.

² *SunCom Wireless, Inc., Transferor, and SunCom Wireless Holdings, Inc, Transferee, Seek FCC Consent to Transfer Control of Licenses and Authorizations and Request a Declaratory Ruling on Foreign Ownership, Public Notice, Report No. TEL-01128S (March 23, 2007) and Report No. TEL-01126NS (March 23, 2007).*

The Agencies are authorized to state that the Applicants do not object to the grant of this Petition.

Respectfully submitted,

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May 1, 2007