



PUBLIC NOTICE

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

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DA 13-2051
Released: October 23, 2013

AT&T INC. AND LONG LINES COMMUNICATIONS, LLC SEEK FCC CONSENT TO THE ASSIGNMENT OF 15 PCS AND SEVEN AWS-1 LICENSES AND AN INTERNATIONAL SECTION 214 AUTHORIZATION

ULS File Nos. 0005865319 and 0005865320
IBFS File No. ITC-ASG-20130722-00241

PLEADING CYCLE ESTABLISHED

Petitions to Deny Due: November 6, 2013
Oppositions Due: November 19, 2013
Replies Due: November 26, 2013

I. INTRODUCTION

AT&T Inc. (“AT&T”) and Long Lines Communications, LLC (“Long Lines” and, together with AT&T, the “Applicants”) have filed applications pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended,¹ seeking to assign 15 Personal Communications Service (“PCS”) licenses and seven Advanced Wireless Services (“AWS-1”) licenses from two wholly-owned subsidiaries of Long Lines, LL License Holdings, LLC and LL License Holdings II, LLC, to an indirect, wholly-owned subsidiary of AT&T.² The subject licenses encompass parts of Iowa, Minnesota, Nebraska, North Dakota, and South Dakota. The Applicants also seek to assign an international section 214 authorization held by Long Lines Wireless LLC, a wholly-owned subsidiary of Long Lines, to the same indirect, wholly-owned subsidiary of AT&T. In addition, Long Lines would transfer approximately 18,000 subscribers, along with network equipment and other assets in and around northwestern Iowa, to AT&T as part of the proposed transaction. The Applicants assert that, as a result of this transaction, Long Lines’ subscribers, who currently receive “2G” service, would gain access to a range of products and services available on AT&T’s “4G” network.

Preliminary review of the applications indicates that, pursuant to the proposed transaction, AT&T would acquire 10 to 50 megahertz of spectrum in 110 counties in 24 Cellular Market Areas (“CMAs”) across parts of Iowa, Minnesota, Nebraska, North Dakota, and South Dakota. Post-transaction, AT&T would hold a maximum of 145 megahertz of spectrum in these market areas.

¹ 47 U.S.C. §§ 214, 310(d).

² The licenses held by LL License Holdings, LLC and LL License Holdings II, LLC would be assigned, just prior to closing, to LL Acquisition Company, LLC, which currently is a wholly-owned subsidiary of Long Lines. At closing, ownership of LL Acquisition Company, LLC would be transferred to AT&T.

II. SECTION 310(d) APPLICATIONS

The applications for assignment of licenses from Long Lines to AT&T have been assigned the following file numbers:

| <u>File No.</u> | <u>Licensee/Assignor</u> | <u>Assignee</u> | <u>Lead Call Sign</u> |
|-------------------------|-----------------------------|-----------------------------|-----------------------|
| 0005865319 ³ | LL License Holdings, LLC | LL Acquisition Company, LLC | KNLG784 |
| 0005865320 | LL License Holdings II, LLC | LL Acquisition Company, LLC | KNLG791 |

III. SECTION 214 APPLICATION

The application for consent to the assignment of an international section 214 authorization has been assigned the following file number:

| <u>File No.</u> | <u>Authorization Holder</u> | <u>Assignee</u> | <u>Authorization Number</u> |
|------------------------|-----------------------------|-----------------------------|-----------------------------|
| ITC-ASG-20130722-00241 | Long Lines Wireless LLC | LL Acquisition Company, LLC | ITC-214-20130709-00182 |

IV. EX PARTE STATUS OF THIS PROCEEDING

Pursuant to section 1.1200(a) of the Commission's rules,⁴ the Commission may adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires. 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.⁵

Parties making oral *ex parte* presentations are directed to the Commission's *ex parte* rules. Parties are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁶ More than a one- or two-sentence description of the views and arguments presented is generally required.⁷ Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well.⁸

IV. GENERAL INFORMATION

The assignment applications 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 **November 6, 2013**. 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

³ The Applicants have designated File No. 0005865319 as the lead application.

⁴ 47 C.F.R. § 1.1200(a).

⁵ 47 C.F.R. § 1.1206.

⁶ See 47 C.F.R. § 1.1206(b)(1).

⁷ See *id.*

⁸ 47 C.F.R. § 1.1206(b).

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 **November 19, 2013**. Replies to such pleadings must be filed no later than **November 26, 2013**. All filings concerning matters referenced in this Public Notice should refer to ULS File Nos. 0005865319 and/or 0005865320 and/or IBFS File No. ITC-ASG-20130722-00241, as appropriate.

To allow the Commission to consider fully all substantive issues regarding the applications in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.⁹ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

Under the Commission's current procedures for the submission of filings and other documents,¹⁰ submissions in this matter may be filed electronically through the Commission's Universal Licensing System ("ULS") or International Bureau Filing System ("IBFS") 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 IBFS**, pleadings may be filed via <http://licensing.fcc.gov/myibfs/pleading.do>.
- **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 or (202) 488-5563 (facsimile); (2) Kathy Harris, Mobility Division, Wireless Telecommunications Bureau, at kathy.harris@fcc.gov or (202) 418-7447 (facsimile); (3) Linda Ray, Broadband Division, Wireless Telecommunications Bureau, at linda.ray@fcc.gov or (202) 418-7247 (facsimile); (4) Kate Mataves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at catherine.mataves@fcc.gov or (202) 418-7447 (facsimile); (5) David Krech, Policy Division, International Bureau, at david.krech@fcc.gov or (202) 418-2824 (facsimile); and (6) Jim Bird, Office of General Counsel, at TransactionTeam@fcc.gov or (202) 418-1234 (facsimile).

⁹ See 47 C.F.R. § 1.45(c).

¹⁰ See FCC Announces Change in Filing Location for Paper Documents, *Public Notice*, 24 FCC Rcd 14312 (2009).

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 email at FCC@BCPIWEB.COM. The applications and any associated documents are also available for public 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 email to 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 email: 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) 391-6272.

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