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The parties to this application request Federal Communications Commission consent to the proposed assignment of the license for Domestic Satellite Earth Station E960178, from L&L Services, Inc. (“L&L” or “Assignor”) to Anserphone of Natchez, Inc. (“Anserphone” or “Assignee”).

The proposed assignment of license will occur upon the purchase and sale of certain assets by L&L to Anserphone, upon the prior approval of the FCC.

Section 310(d) of the Communications Act of 1934, as amended (“the Act”), requires that the Commission determine whether the transaction presented herein is consistent with the public interest, convenience and necessity.¹ As part of its public interest analysis, the Commission reviews whether the transaction will have anti-competitive effects and, if so, whether there are overriding public interest benefits that would support a grant.

The Commission has determined that transfer and assignment applications that demonstrate on their face that a transaction will yield affirmative public interest benefits and will neither violate the Act or Commission rules nor frustrate or undermine policies and enforcement of the Act, do not require extensive review and expenditures of considerable resources by the Commission.² The instant application meets this standard.³

The proposed transaction is in the public interest. The proposed assignment of license will not result in any violation of the Act, or any other applicable statutory provision. The assignment of license fully complies with all Commission rules and regulations and requires no waivers. Accordingly, it will not frustrate or impair the Commission’s implementation, enforcement, or objectives of the Act or other statutes. The FCC license

¹ Section 310(d) provides that “no construction permit, or station license, or any rights there under, shall be transferred, assigned, or disposed of in any matter . . . to any person except upon application to the Commission and upon finding by the Commission that the public interest, convenience, and necessity will be served thereby.” 47 U.S.C. § 310(d).

² See *Applications of Tele-Communications, Inc. and AT&T Corp.*, 14 FCC Rcd 3160, 3170 (1999); *Ameritech-SBC Order*, 14 FCC Rcd at 14740-41.

³ The Commission has emphasized that a detailed showing of benefits is not required for transactions where there are no anti-competitive effects. The Commission stated in *Applications of Southern New England Telecomm. Corp. and SBC Communications Inc.*, 13 FCC Rcd 21292, 21315 (1998), that, in the absence of anti-competitive effects, a detailed showing of benefits is not necessary in seeking approval of a merger. Similarly, as the Commission stated in its approval of the SBC/Pacific Telesis merger, where it found that the merger would not reduce competition and that SBC possessed the requisite qualifications to control the licenses in question, “[a] demonstration that benefits will arise from the transfer is not . . . a prerequisite to our approval, provided that no foreseeable adverse consequences will result from the transfer.” *Applications of Pacific Telesis Group and SBC Communications Inc.*, 12 FCC Rcd 2624, 2626-27 (1997); see also *Comcast Cellular Holdings, Inc. and SBC Communications, Inc.*, 14 FCC Rcd 10604, 10608-09 (WTB 1999).

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authorization(s), currently being used by L&L, is utilized in connection with its communications business activities that are being sold to Anserphone. Accordingly, the parties respectfully submit that the Commission approval of the proposed transaction will serve the public interest, convenience, and necessity by permitting Anserphone to provide valuable and necessary paging services to its subscribers.

Anserphone and Michael G. McGehee are the real parties in interest with respect to this application.

No party to this application is subject to a denial of federal benefits due to a conviction for possession or distribution of a controlled substance, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862.

Pursuant to Section 1.923(e) of the Commission's Rules, the applicants state that this assignment of license application is categorically exempt from environmental processing under Section 1.1306 of the Commission's Rules because an assignment of license can have no environmental effect.

Grant of the instant application will serve the public interest by permitting Anserphone to continue providing necessary and valuable paging services to subscribers in rural Alabama.