

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

In the Matter of

Deferral of Licensing of MTA
Commercial Broadband PCS Licensing

GEN Docket No. 93-253
ET Docket No. 92-100

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

COMMUNICATIONS ORIGINAL

To: The Commission

MOTION FOR EXTENSION OF TIME

Western PCS Corporation ("WPC"), by its attorneys, hereby requests additional time, up to and including March 29, 1995, to respond to the "Emergency Motion to Defer MTA PCS Licensing" ("Motion") filed by Communications One, Inc. ("Comm One") on March 8, 1995.

In support hereof the following is shown:

In its Motion, Comm One argues that the stay of the upcoming Entrepreneur Block BTA Broadband PCS auction, pending the resolution of a court challenge, places entities planning to participate in that auction at a competitive disadvantage vis-a-vis the winners of the recently completed A/B Block auction. Comm One thus requests that the Commission "defer the MTA licensing process until after the Entrepreneur Block auction has been conducted." Motion, p.3.

As a winning bidder in six MTA markets,^{1/} WPC would suffer irreparable harm from such a postponement. WPC has already paid the United States Treasury millions of dollars in initial upfront payments with its Form 175, and downpayments on March 20, 1995. Moreover,

^{1/} By Public Notice, Report No. 4529 (released March 13, 1995), the Commission announced the winners of the A/B Block auctions. WPC was a high bidder in the Portland (Market 30), Des-Moines-Quad Cities (Market 32), Salt Lake City (Market 36), El Paso-Albuquerque (Market 39), Oklahoma City (Market 41), and Honolulu (Market 47) MTA's.

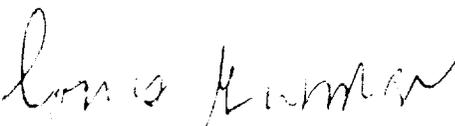
it has invested significant time and resources over a period of many months in reliance on the established auction procedures and schedule. Given the extreme nature of the relief sought by Comm One, it is of vital importance that adversely affected parties have an opportunity to oppose Comm One's Motion.

Comm One did not serve its Motion on WPC or the other MTA broadband auction participants. As a result, WPC did not become aware of Comm One's Motion until just recently, when mention was made of it in the trade press.^{2/}

Given the substantial interests at stake and Comm One's failure to directly serve the affected parties, the Commission should either place Comm One's filing on public notice and establish a unified comment date, or, at a minimum, grant extensions of time to WPC and the other MTA auction winners to allow them an opportunity to respond.

Respectfully submitted,

WESTERN PCS CORPORATION

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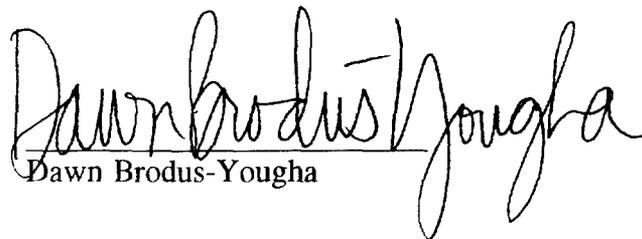
^{2/} It is not clear whether Comm One's Motion should be treated as a general motion under Section 1.45(a) or a stay motion under Section 1.45(d). See 47 C.F.R. § 1.45(a) and (d).

CERTIFICATE OF SERVICE

I, Dawn Brodus-Yougha, a secretary in the law firm of Gurman, Kurtis, Blask & Freedman, Chartered, hereby certify that a copy of the foregoing Motion for Extension of Time was sent, by U.S. mail, postage prepaid, on this 22nd day of March, 1995, to the following:

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* By Hand