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OFFICE OF GENERAL COUNSEL

MEMORANDUM

TO: Chief, PIRS

FROM: Associate General Counsel, Litigation Division

SUBJECT: Radiofone, Inc. v. FCC & USA, No. 95-1389. Filing of one new Petition for Review filed in the United States Court of Appeals for the District of Columbia Circuit.

DATE: August 3, 1995

Docket No(s). PP 93-253, GN 90-314, and GN 93-252

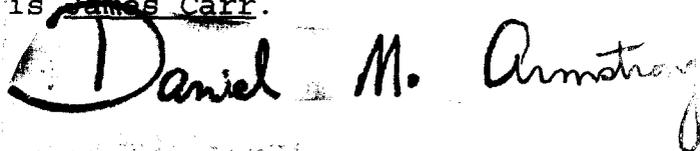
File No (s).

This is to advise you that Radiofone, Inc. on August 1, 1995, filed Section 402(a) Petition for Review: In the Matter of Implementation of Section 309(j) of the Communications Act - Competitive Bidding, Amendment of the Commission's Cellular PCS Cross-Ownership Rule and Implementation of Sections 3(n) and 332 of the Communications Act Regulatory Treatment of Mobile Services, FCC 95-301, released July 18, 1995.

Radiofone claims that the FCC violated its own procedural rules and the public notice provision of the APA when it issued the challenged order. Radiofone also challenges the reasonableness and constitutionality of the FCC's decision not to rescind its cellular/PCS cross-ownership restrictions.

Due to a change in the Communications Act, it will not be necessary to notify the parties of this filing.

The Court has docketed this case as No. 95-1389 and the attorney assigned to handle the litigation is James Carr.



Daniel M. Armstrong

cc: General Counsel
Office of Public Affairs
Shepard's Citations

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U.S. DEPARTMENT OF JUSTICE