

**SIGNATURE PAGE
FIRST MODIFICATION OF
INSTALLMENT PAYMENT PLAN NOTE**

COMMISSION:

FEDERAL COMMUNICATIONS COMMISSION

WITNESS:

By: _____

Name: _____

Its: Authorized Signatory for the Wireless
Telecommunications Bureau, Federal
Communications Commission

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

In the Matter of)	
)	
)	
Petition of)	
ANISHNABE COMMUNICATIONS)	WT Docket No. 97-82
ENTERPRISE, INC.)	
for a Waiver of the June 8, 1998)	
Personal Communications Services)	
C Block Date to Elect)	
Resumption of Payments Option)	

[PROPOSED] ORDER

Adopted:

Released:

By the Commission:

1. We have before us a Petition of ANISHNABE COMMUNICATIONS ENTERPRISE, INC. ("Anishnabe") for a waiver of the June 8, 1998 Personal Communications Services C Block Date to elect resumption of payments option. The election date is the date by which broadband Personal Communications Services (PCS) C block licenses must elect what option they will pursue for license payment.

2. Anishnabe argues that it is in the public interest for the issuance of a waiver and to allow Anishnabe to elect the Resumption of Payments option as detailed in the May 28, 1998 First Modification and discussed in the *Order on Reconsideration of the Second Report and Order*. Anishnabe makes the following arguments: (1) Under Section 309(j) of the Communications Act of 1934, as amended, Congress mandated the promotion of minorities, such as the Saginaw Chippewa Indian Tribe of Michigan, the sole shareholder of Anishnabe, to hold PCS licenses; (2) Anishnabe has been in historic compliance with FCC rules and regulations and the payment plans; (3) On April 28, 1998, around the same time Anishnabe was considering which election to make, the contract with Anishnabe's technical advisors, Associated Communications & Research Services, Inc., was terminated; (4) Anishnabe is merely asking for a waiver and an opportunity to make an election, not any other changes to the licenses or a stay to any other proceedings; (5) Anishnabe has spent considerable resources in the building out of the PCS system; (6) Anishnabe revenue will fund governmental services and economic development for the Saginaw Chippewa Indian Tribe of Michigan, and hopefully improve reservation roads, schools, infrastructure, and health; (7) if Anishnabe is

not granted the waiver to elect the resumption of payments option, it must pay on the resumption date all unpaid simple interest accruing from the date of the license grant through the payment resumption date. Currently, there are insufficient funds in the current account to cover this amount and continue the current build-out and construction schedule; and (8) Anishnabe deeply regrets its error.

3. Upon examination of the Petition, we find that Anishnabe's arguments persuasive and the relief requested is in the public interest.
4. Accordingly, IT IS ORDERED that, pursuant to Sections 4(i), 303(r), 309(j), and 416(b) of the Communications Act of 1934, as amended, 47 U.S.C. §§154(i), 303(r), 309(j), and 416(b) Anishnabe's Petition is hereby GRANTED. This Order shall become effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

CERTIFICATE OF SERVICE

I, Elisabeth H. Ross, hereby certify that on this 20th day of July, 1998, a copy of the attached Petition was mailed via U.S. Post Office, first class postage prepaid, to the following:

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*Via Hand Delivery