

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

In the matter of)

Petition for Declaratory Ruling on)
Issues Contained In Count I of:)

WT 00-164

IN THE UNITED STATES DISTRICT COURT)
FOR THE MIDDLE DISTRICT OF FLORIDA)
TAMPA DIVISION)
Case No. 97-1859-CIV-T-26C)

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JAMES J. WHITE, PERRY KRANIAS,)
RALPH DELUISE and WALL STREET)
CONNECTIONS, INC.)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Representative Plaintiffs,)

vs.)

GTE CORPORATION; GTE WIRELESS)
INCORPORATED f/k/a GTE MOBILNET)
INCORPORATED; GTE WIRELESS OF)
THE SOUTH INCORPORATED f/k/a)
GTE MOBILNET OF THE SOUTH)
INCORPORATED; GTE MOBILNET OF)
TAMPA INCORPORATED; GTE WIRELESS)
OF HOUSTON INCORPORATED; GTE)
MOBILNET OF CLEVELAND INCORPORATED)
and GTE MOBILNET OF THE SOUTHWEST)
INCORPORATED,)

Defendants.)

CLASS ACTION COMPLAINT)

MOTION TO ACCEPT LATE- FILED REPLY

COME NOW, the Petitioners, Plaintiffs in WHITE vs. GTE, United States District Court for

the Middle District of Florida, Case No. 97-1859-CIV-T-26C, and hereby file this, their Motion before the Federal Communications Commission ("FCC") requesting that the Commission accept their Reply to Opposition of GTE Corporation, GTE Wireless Incorporated, GTE Wireless of the South Incorporated, GTE Mobilnet of Tampa Incorporated, GTE Wireless of Houston Incorporated, GTE Mobilnet of Cleveland Incorporated, and GTE Mobilnet of the Southwest Incorporated, to the "Petition for Declaration Ruling on Issues Contained in Count I of WHITE vs. GTE, United States District Court for the Middle District of Florida, Case No. 97-1859-CIV-T-26C", and as good grounds therefore would state as follows:

1. The subject petition was forwarded for filing on or about January 28, 2000, and as the petition was required by directive of the court, copies were simultaneously provided to counsel for the various GTE entities.

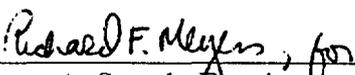
2. On or about February 14, 2000, a copy of the opposition filed by the various GTE entities was received directly from GTE's counsel.

3. On February 14, 2000, undersigned counsel initiated communication with the FCC to determine whether the petition had been received, whether the petition had been assigned a docket number, and to ascertain the deadline for filing a reply to the opposition of the GTE entities. During a series of telephone conversations with employees of the undersigned counsel and of the FCC, the petition was ultimately located, however, the 5-day deadline for replying had passed.

4. Granting this motion would not in any way prejudice the parties opposing this petition.

WHEREFORE, the undersigned counsel respectfully requests that the FCC grant this motion and accept the reply filed simultaneous herewith for filing.

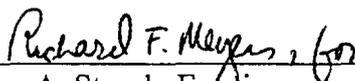
Respectfully submitted,



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Fla. Bar No. 296937

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Accept Late-Filed Reply to Opposition of GTE Corporation, et al., to Plaintiffs' "Petition for Declaratory Ruling", has been served to: **James M. Landis, Esquire**, FOLEY & LARDNER, 100 North Tampa Street, Suite 2700, Tampa, FL 33601; **Peter Kontio, Esquire**, ALSTON & BIRD LLP, One Atlantic Center, 1201 West Peachtree Street, Atlanta, GA 30309-3424, **Andre J. Lachance**, GTE Service Corporation, 1850 M Street, N.W., Washington, DC 20036; and **Frederick M. Joyce, Esquire**, ALSTON & BIRD LLP, 601 Pennsylvania Avenue, NW, North Building, 11th Floor, Washington, DC 2004-2601, by U.S. Mail, this 3RD day of March, 2000.



James A. Staack, Esquire

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