

FCC MAIL ROOM

Federal Communications Commission

DA 00-2521

2000 NOV 14 P 3:45 Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
VOICESTREAM WIRELESS CORPORATION)	
)	
and)	
)	
POWERTEL, INC.)	
)	IB Docket No. 00-187
Transferors,)	
)	
and)	
)	
DEUTSCHE TELEKOM AG)	
)	
Transferee)	

ORDER

Adopted: November 8, 2000

Released: November 8, 2000

By the Chief, International Bureau:

I. Introduction

1. In this Order, we address a Motion for Extension of Time ("Motion") filed in this proceeding by the Honorable Ernest F. Hollings, U.S. Senate, ("Senator Hollings"), the ranking minority Member on the United States Senate Committee on Commerce, Science, and Transportation.¹ This proceeding concerns the proposed merger of VoiceStream Wireless Corporation and Powertel, Inc. with Deutsche Telekom AG (collectively "Applicants"). On October 11, 2000, the Commission released a Public Notice seeking comment in this proceeding and setting November 13, 2000 as the deadline for initial petitions/comments and November 27, 2000 as the deadline for oppositions/responses.² Senator Hollings moves for a 30-day extension of the deadline to file comments in this proceeding. As discussed below, we grant Senator Hollings's Motion.

¹ See *VoiceStream Wireless Corporation, Transferor, and Deutsche Telekom AG, Transferee*, IB Docket No. 00-187, Ernest F. Hollings, U.S. Senate, Motion for Extension of Time (filed Nov. 2, 2000).

² See Public Notice, *VoiceStream Wireless Corporation, Powertel, Inc. and Deutsche Telekom AG Seek FCC Consent to Transfer Control of Licenses and Authorizations and Request Declaratory Ruling Allowing Indirect Foreign Ownership*, IB Docket No. 00-187, DA 00-2251 (rel. Oct. 11, 2000).

II. Discussion

2. Pursuant to Section 1.46(b) of the Commission's rules,³ Senator Hollings requests that we grant a 30-day extension of the filing deadlines in this proceeding. Senator Hollings states that he has a keen interest in the outcome of this proceeding and plans to file comments. He further states that due to the pendency of critical legislative matters, however, he and his staff have not had the time necessary to carefully analyze the market data and other information they have already gathered and to engage in additional research if necessary. He notes, that through the legislative process, he has gathered significant information directly relevant to this proceeding that should be included in the record. Senator Hollings argues that granting an extension of time will serve the public interest because it will allow the Commission to develop a more complete record in this proceeding.

3. Although it is the policy of the Commission that extensions of time shall not be routinely granted,⁴ we believe that an extension is warranted in this proceeding. We note that the Applicants have indicated that they do not oppose this Motion.⁵ We find that the public interest will be served by allowing additional time for parties to prepare comments and thus having a more complete record in this proceeding. Therefore, we extend the deadline for filing initial comments/petitions in the above-captioned proceeding to December 13, 2000 and the deadline for filing oppositions/responses to January 8, 2000.⁶ We note, however, that we would be reluctant to further extend the comment periods, in order that we may act on this proceeding in a timely manner. Furthermore, we encourage those commenters who wish to file comments before the new deadline to do so. The impact this extension will have on the schedule of our review will depend on the nature and scope of comments received.

III. Ordering Clauses

4. Consistent with the foregoing and pursuant to Sections 214 and 310 of the Communications Act of 1934, as amended,⁷ IT IS ORDERED that the Motion for Extension of Time filed by Ernest F. Hollings, U.S. Senate, in IB-Docket No. 00-187 is GRANTED and the deadline for filing initial comments/petitions and oppositions/responses ARE EXTENDED to December 13, 2000 and January 8, 2000, respectively.

³ 47 C.F.R. § 1.46(b).

⁴ See 47 C.F.R. § 1.46(a).

⁵ See *VoiceStream Wireless Corporation Transferor, and Deutsche Telekom AG, Transferee*, IB Docket No. 00-187, Response to Motion for Extension of Time, (filed Nov. 7, 2000) (stating "VoiceStream, Powertel and DT do not oppose Senator Hollings's request for a 30-day extension of the deadline for filing comments and reply comments on the pending transfer-of-control applications.").

⁶ We note that the action we take here in no way affects the pleading cycle in a related transaction involving VoiceStream Wireless Corporation. See Public Notice, *VoiceStream Wireless Corporation and Cook Inlet Region, Inc. Seek FCC Consent for Transfer of Control of Licenses and Authorizations*, WT Docket No. 00-207, DA 00-2397 (rel. Oct. 24, 2000) (establishing November 24, 2000 and December 1, 2000 as the respective dates for comments/petitions and replies/oppositions in that proceeding).

⁷ See 47 U.S.C. §§ 214, 310.

6. This Order is issued pursuant to delegated authority under Section 0.261 of the Commission's rules,⁸ and is effective upon release. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules,⁹ may be filed within 30 days of the date of release of this order.¹⁰

FEDERAL COMMUNICATIONS COMMISSION



Donald Abelson
Chief, International Bureau

⁸ 47 C.F.R. § 0.261

⁹ 47 C.F.R. §§ 1.106, 1.115

¹⁰ See 47 C.F.R. § 1.4 (b)(2).