

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Application of)
ALEE CELLULAR COMMUNICATIONS)
)
For Authorization To Construct)
Nonwireline Cellular System in)
Texas RSA 21 Market 672A)

WT Docket No. 02-28

File No. 1105-CL-P-672-A-89

To: Alee Cellular Communications

**ENFORCEMENT BUREAU'S REQUEST FOR
PRODUCTION OF DOCUMENTS**

The Enforcement Bureau ("Bureau"), pursuant to Sections 1.31 and 1.325 of the Commission's Rules, requests that Alee Cellular Communications ("Alee") produce the documents specified herein for inspection and copying. Production shall be made at the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 3-B443, 445 12th Street, S.W., Washington, D.C. (or at some place mutually acceptable to the Bureau and Alee) within 10 days of the date of this request.

Definitions

The following definitions shall apply to this document requests:

- a. "Alee" means Alee Cellular Communications, its partners, shareholders, directors, officers, employees, agents, consultants or other persons acting on its behalf.
- b. "Alee Cellular Communications" means the company alone, as opposed to Alee as defined in definition a, above.
- c. "Document" means handwritten, printed, memorialized, computer generated,

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computer digitized or stored, typed, or visually or aurally reproduced material of any kind, and means the original (or duplicate original) and any non-identical copies thereof (whether different from the original because of notes made thereon, attached to, such copy or otherwise), draft or amendments thereof, including but not limited to all writings, correspondence, facsimiles, memoranda (including memoranda of oral conversations), minutes, resolutions, agendas, notices, diaries, notes (including notes of meetings), reports, brochures, bills, cancelled checks, orders, logs, vouchers, instructions, guidelines, affidavits, receipts (including credit card receipts and billing statements), contracts, written understandings or agreements, leases, computer files, electronic postings, electronic mail (e-mail) messages, photographs, or any other documentary material of any nature whatsoever in the possession, custody, or control of Respondent whenever created unless otherwise noted.

- d. "Relate to" and "relating to" mean constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or in any way is pertinent to the specified subject, including documents concerning the preparation of the documents.
- e. "Person" includes natural persons, corporation, partnership, association, and other legal entities, and governments or governmental bodies, Commission, boards, agencies, or entities.
- f. "Personnel" means individuals who are or have been employed on a full or part-time basis for, and contractors and other persons who have been retained to perform services for Alee.

- g. "Application" means any application for a nonwireline cellular system, land mobile facilities, or any other facility application filed with the Commission by or on behalf of Alee.
- h. "Or" means and/or.
- i. "Including" means to include but not limited to.

Instructions

The following instructions shall apply to this document request:

- j. References to the singular also include the plural and *vice versa*.
- k. If any document exists or existed, but is currently unavailable, explain why it is unavailable, and provide a brief description of the document, the date the document was created, its author and its recipient.
- l. If an otherwise responsive document is withheld due to a claim of privilege, state fully the nature of the privilege and explain why it is encompassed by the privilege. Also, identify the document by providing a brief description of the document, the date the document was created, its author and its recipient.
- m. For each document produced, indicate the number(s) of the request to which it is responsive.
- n. Each page of each document produced pursuant to this request shall bear a sequential Bates stamp to assist the Bureau, the Designated Parties and the Presiding Judge in expeditiously and efficiently identifying the document.

- o. Unless otherwise stated, the time frame for all documents request is from September 1, 1988 to the present.
- p. This request is continuing in character, requiring supplemental responses if further or different documents are obtained during the pendency of this proceeding.

Documents Requested

1. Provide all documents related to any ownership interest, direct or indirect, including the percentage of ownership held, in Alee Cellular Communications by its current or former partners, principals, shareholders, directors, officers or others.
2. All documents which identify or list Alee's partners, shareholders, directors, officers or others who may or did exercise management control of Alee Cellular Communications from January 1, 1988 to the present.
3. The Federal income tax returns and schedules of Alee Cellular Communications, including Schedule K-1, and supporting documentation for 1988 to the present, to the extent that the information contained therein reflects Alee's business structure or identifies the principals, partners, officers, directors or shareholders of Alee. These documents may be redacted to exclude financial information.
4. Copies of all documents filed with the Secretary of State in any state in which Alee Cellular Communications is registered to do business.
5. Copies of all applications, and related or supporting documents thereto, filed with the

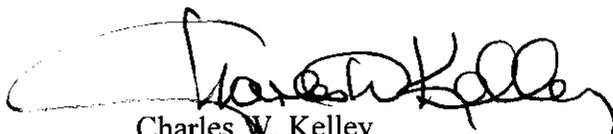
FCC on behalf of Alee Cellular Communications or any of its principals, partners, shareholders, directors or officers since January 1, 1988.

6. All documents of U.S. citizenship for any foreign-born principal, officer or director of Alee Cellular Communications.
7. All documents relating to the contractual or other agreements regarding the ownership, construction, management and maintenance of any FCC licensed facility owned or managed by Alee Cellular Communications.
8. Copies of any civil or administrative law judgments against Alee.
9. All documents relating to criminal convictions and pleas, including *nolo contendere* rulings, of or against Alee Cellular Communications, its principals, partners, officers or directors.
10. The corporate minutes and related documents of Alee Cellular Communications since January 1, 1988.
11. All documents identifying the person(s) responsible for maintaining the business and personnel records of Alee Cellular Communications.
12. All documents relating to guidelines and procedures established by Alee Cellular Communications for its partners, shareholders, directors, or others to ensure adherence to the rules and regulations governed by the Communication Act of 1934, as amended.
13. Copies of all amendments to Alee Cellular Communication's September 1988 application that were filed with the FCC.

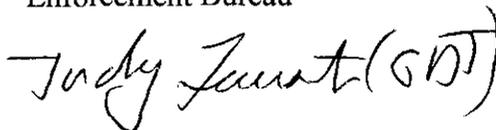
14. All documents, not already provided to the undersigned Bureau counsel in the above-captioned matter, relied upon by Alee Cellular Communications in the preparation of its responses to the Enforcement Bureau's Interrogatories To Alee Cellular Communications filed by the Bureau in this case.

The Bureau believes the requested information is reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted,



Charles W. Kelley
Chief, Investigations and Hearings Division
Enforcement Bureau



Judy Lancaster
Attorney



Gilberto de Jesus
Attorney

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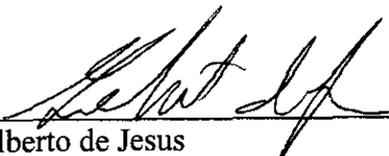
April 25 2002

CERTIFICATE OF SERVICE

Gilberto de Jesus, an attorney in the Enforcement Bureau's Investigations and Hearings Division, certifies that he has on this 25th day of 2002, sent by first class United States mail, electronic mail (email) or by hand copies of the foregoing "Enforcement Bureau's Request for Production of Documents to Alee Cellular Communications" to:

David Hill, Esq. (email and first class mail)
Hall, Estill, Hardwick, Gable, Golden & Nelson
1120 20th Street, N.W.
Washington, D.C. 20036

Administrative Law Judge Arthur I. Steinberg (by hand)
Federal Communications Commission
445 12th Street, S.W., Room 1-C749
Washington, D.C. 20054



Gilberto de Jesus