

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

DOCKET FILE COPY ORIGINAL

APR 26 2002

OFFICE OF  
MANAGING DIRECTOR

Jean L. Kiddoo  
Paul O. Gagnier  
Jeanne W. Stockman  
Swidler Berlin Shereff Friedman, LLP.  
3000 K Street, NW, Suite 300  
Washington, DC 20007-5116

86-285

Re: Petition for Waiver of  
Application Fees  
Fee Control No. 00000RROG-02-025

Dear Counsel:

This letter responds to your petition for a waiver of the application fees in the amount of \$1,525 submitted by Global Crossing, Ltd. (GCL) and Global Crossing North American Networks, Inc. (GCNAN) (together, Global Crossing), in connection with the pro forma assignment of common carrier microwave and private land mobile licenses.

You state that on January 28, 2002 GCL and certain of its subsidiaries, including GCNAN, filed voluntary petitions under Chapter 11 of the United States Bankruptcy Code to reorganize their business and financial structure. The assignment applications in question reflect the change in status of Global Crossing's wireless licensees to debtors-in-possession. You contend that the bankruptcy court must approve the expenditure of fees and submit that no filing fees should be required for applications that merely notify the Commission of a licensee's debtor-in-possession status in any case. Therefore, you request a waiver or reduction in the amount of the filing fees.

Section 1.1117 of the Commission's Rules, 47 C.F.R. § 1.1117, provides that filing fees may be waived upon a showing of good cause and a finding that the public interest will be served thereby. See Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985, 2 FCC Rcd 3558, 3572-73 (1990). Section 1.1117 further provides that an applicant seeking a waiver of the filing fee requirement include the applicable fee with its waiver request, and also provides that the fee will be returned if the waiver is granted. Id.

Although you did not submit the filing fees with your assignment applications, under the circumstances we will treat your request as one for deferral and waiver of the fees. You have presented information showing that GCL and GCNAN filed Petitions under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court, Southern District of New York. We find that these filings establish financial hardship and demonstrate good cause for waiver of the filing fees. See MobileMedia Corporation, 14 FCC Rcd 8017, 8027 (1999) (bankruptcy establishes good cause for waiver of filing fee); cf.

Jean L. Kiddoo, Paul O. Gagnier &  
Jeanne W. Stockman

2.

Implementation of Section 9 of the Communications Act, 10 FCC Red 12759, 12762 (1995) (evidence of bankruptcy or receivership sufficient to establish financial hardship for purposes of waiver of regulatory fees). Moreover, waiver of the filing fees will serve the public interest by protecting the interests of Global Crossing's creditors. Therefore, your petition for waiver is granted.

If you have any questions concerning this letter, please contact the Revenue and Receivable Operation Group at (202) 418-1995.

Sincerely,



for Mark A. Reger  
Chief Financial Officer

0000 RR06-02-025

ORIGINAL

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR  
3000 K STREET, NW, SUITE 300  
WASHINGTON, DC 20007-5116  
TELEPHONE (202) 424-7500  
FACSIMILE (202) 295-8478  
[WWW.SWIDLAW.COM](http://WWW.SWIDLAW.COM)

NEW YORK OFFICE  
THE CHRYSLER BUILDING  
405 LEXINGTON AVENUE  
NEW YORK, NY 10174  
TEL. (212) 973-0111  
FAX (212) 891-9598

March 6, 2002

**VIA HAND DELIVERY**

Mr. Andrew S. Fishel  
Managing Director  
Federal Communications Commission  
444 12th Street S.W.  
Washington, D.C. 20554

Re: Global Crossing Ltd. and Global Crossing North American Networks, Inc.  
Petition for Waiver of Wireless Telecommunications Bureau Application  
Processing Fees for *Pro Forma* Assignment of Common Carrier  
Microwave and Private Land Mobile Licenses

Dear Mr. Fishel:

By this Petition, Global Crossing Ltd. ("GCL") and Global Crossing North American Networks, Inc. ("GCNAN," and together with GCL, "Global Crossing"), pursuant to Section 1.1117 of the Federal Communications Commission's ("FCC's") Rules,<sup>1</sup> hereby request a waiver of the FCC application fees set forth in Section 1.1102<sup>2</sup> associated with the attached *pro forma* assignment of common carrier microwave and private land mobile license applications filed February 27, 2002 using the FCC's Universal Licensing System ("ULS").<sup>3</sup> Global Crossing believes that this Petition is made for good cause and that the granting of this Petition would serve the public interest. As detailed below, good cause also exists for a waiver of the requirement in Section 1.1117(e) that the filing fee in question be filed with this waiver request.

On January 28, 2002, Global Crossing Ltd. and certain of its subsidiaries, including GCNAN, filed voluntary petitions under Chapter 11 of the United States Bankruptcy Code to

<sup>1</sup> 47 C.F.R. § 1.1117.

<sup>2</sup> 47 C.F.R. § 1.1102.

<sup>3</sup> See FCC File No. 0000789119 (requesting *pro forma* assignment of GCL's single private land mobile license, total filing fee \$50); and FCC File No. 0000788919 (requesting *pro forma* assignment of GCNAN's single private land mobile license and 28 common carrier microwave licenses, total filing fee \$1475). Copies of those applications are attached hereto for the Commission's reference.

reorganize their business and financial structure. *In re Global Crossing Ltd., et al*, Chap. 11 Case Nos. 02-40187 - 02-40241 (Bankr. S.D.N.Y.). Global Crossing advised the Commission of the Chapter 11 filings in a January 28, 2002 letter to Chairman Powell. On February 15, 2002, GCL and other of its subsidiaries requested a waiver of the filing fees associated with the *pro forma* assignment of their respective submarine cable landing licenses to reflect their change in status to debtors-in-possession. That waiver request is pending. The instant submission seeks a waiver of the filing fees associated with the *pro forma* assignment applications of Global Crossing's wireless licensees also to reflect debtor-in-possession status.

The FCC has consistently found that a waiver of its rules is appropriate if special circumstances including hardships on an applicant warrant a deviation from the general rule and such deviation would not eviscerate the rule, but would in fact better serve the public interest than would strict adherence to the general rule.<sup>4</sup> The circumstances of the present filing, namely the recent filing by Global Crossing of petitions under Chapter 11, present the special circumstances warranting a waiver.

First, due to Global Crossing's status of operating under Chapter 11, the bankruptcy court must approve most expenditures. Under FCC rules, Global Crossing is required to file these *pro forma* assignment applications for its wireless licenses within 30 days of its Chapter 11 submission, and to remit application processing fees within 10 days of filing to avoid application dismissal. However, obtaining court approval to pay these filing fees likely will be a lengthy process that, at a minimum, will cause delay, and, more seriously, risks dismissal of Global Crossing's applications as untimely. Therefore, in order to expedite processing of the applications, Global Crossing believes that the public interest would be served by granting a waivers of the requirements that Global Crossing (i) pay fees for these *pro forma* assignments and (ii) that it submit the fee with this fee waiver request. Granting these waivers will allow the FCC to review the merits of Global Crossing's applications immediately, without the need to wait for bankruptcy court approval of a fee payment.

Second, the necessity of imposing filing fees for Global Crossing's *pro forma* assignment applications is questionable. Global Crossing's wireless licenses consist of 28 common carrier microwave licenses and two (2) private land mobile licenses. With respect to the common carrier microwave licenses, the Wireless Telecommunications Bureau ("WTB") has concluded to forbear from imposing its customary prior approval requirement on numerous types of *pro forma* or non-substantial assignments and transfers in favor of a post-transaction notice requirement.<sup>5</sup> Transactions subject to forbearance treatment are processed via a no-fee after-the-fact notification procedure. Although the WTB previously allowed forbearance treatment for

---

<sup>4</sup> *Northeast Cellular Tel. Co. L.P. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990)(citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), cert. denied, 409 U.S. 1027 (1972)).

<sup>5</sup> See *Federal Communications Bar Association's Petition for Forbearance from Section 310(d) of the Communications Act Regarding Non-Substantial Assignment of Wireless Licenses and Transfers of Control Involving Telecommunications Carriers, Memorandum Opinion and Order*, 13 FCC Rcd 6293 (1998).

transfers to reflect a change to debtor-in-possession status,<sup>6</sup> WTB very recently changed its policy and concluded it was without authority to grant forbearance treatment to such transactions. As a result of this recent policy shift, filing fees now attach to the *pro forma* assignment of Global Crossing's common carrier microwave licenses and account for \$1,425 of the \$1,525 total. Further, instead of a mere post-transaction notification filing, an application is required. This approval filing requirement does not reflect the standard practice for the other FCC licenses held by Global Crossing. For instance, Global Crossing's international Section 214 authorizations are subject to a simple no-fee after-the-fact notification procedure. Further, the Common Carrier Bureau has advised that no action is required in connection with Global Crossing's domestic Section 214 authorization. Therefore, there is an inconsistency in FCC practice on this issue that is causing unintended harm to Global Crossing by subjecting it to unnecessary filing fees.<sup>7</sup>

Finally, the FCC's filing fees are established as a means of reimbursing the FCC for the cost of processing an application. The fees are supposed to represent the average cost to the FCC of processing the applications.<sup>8</sup> However, the filing fees applicable to this *pro forma* transaction are the same as would apply if Global Crossing were seeking Commission consent for a major transaction resulting in a substantial change in ownership. Here, the burden on the FCC to process Global Crossing's applications is minimal. Because it is a *pro forma* assignment, the FCC does not need to seek public comment on the applications. Further, the FCC does not even need to draft an order to grant the applications, but merely includes them in a blanket public notice. Therefore, there is no reason for the FCC to require \$1,525 in filing fees for these applications. Moreover, the impetus for these filings is the severe financial distress of Global Crossing, as evidenced by the need for it to seek protection under Chapter 11 of the federal bankruptcy laws. Global Crossing submits that it is inappropriate for the Commission to require a debtor-in-possession to remit filing fees for *pro forma* assignment applications that merely notify the Commission of a licensee's debtor-in-possession status. As a debtor-in-possession, Global Crossing must be particularly diligent to conserve valuable resources and avoid unnecessary fees and expenses. Accordingly, Global Crossing submits that the public interest would be served by granting a waiver of this filing fee, or at a minimum greatly reducing it.

---

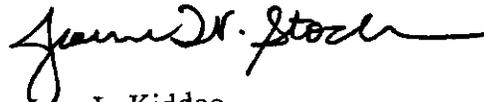
<sup>6</sup> See, e.g., Application of Winstar Wireless Fiber Corp. FCC File No. 0000463080; Application of Teligent License Company I, LLC, FCC File No. 0000476723.

<sup>7</sup> The International Bureau currently requires an application and payment of filing fees in connection with the *pro forma* assignment of cable landing licenses. That requirement will change after the International Bureau's new rules become effective on March 15, 2002. As noted above, Global Crossing has requested a waiver of the filing fees associated with its applications to assign its cable landing licenses.

<sup>8</sup> See *Establishment of a Fee Collection Program*, 3 FCC Rcd 5987 (1988).

In conclusion, Global Crossing respectfully requests a waiver of the FCC application processing fees as described above and a waiver of the requirement that filing fees be submitted with this waiver request. Should you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,



Jean L. Kiddoo  
Paul O. Gagnier  
Jeanne W. Stockman

Special Counsel to Global Crossing Ltd. and  
Global Crossing North American Networks, Inc.  
(Debtors-in-Possession)

cc: Jeffrey Tobias (FCC)  
James Brown (FCC)  
Michael Shortley (Global Crossing)  
Paul Kouroupas (Global Crossing)

398139.2

**ATTACHMENT A – FCC FORM 603 FOR GLOBAL CROSSING LTD.**

<b>FCC 603</b>	<b>FCC Wireless Telecommunications Bureau Application for Assignments of Authorization and Transfers of Control</b>	Approved by OMB 3060 - 0800 See instructions for public burden estimate  Previewed 02/27/2002 at 05:34PM  File Number: <b>0000789119</b>
----------------	---	---

<b>1) Application Purpose: Assignment of Authorization</b>	
2a) If this request is for an Amendment or Withdrawal, enter the File Number of the pending application currently on file with the FCC.	File Number:
2b) File numbers of related pending applications currently on file with the FCC:	

**Type of Transaction**

3a) Is this a <i>pro forma</i> assignment of authorization or transfer of control? <b>Yes</b>
3b) If the answer to Item 3a is "Yes", is this a notification of a <i>pro forma</i> transaction being filed under the Commission's forbearance procedures for telecommunications licenses? <b>No</b>
4) For assignment of authorization only, is this a partition and/or disaggregation? <b>No</b>
5a) Does this filing request a waiver of the Commission rules? If "Yes", attach an exhibit providing the rule numbers and explaining circumstances. <b>No</b>
5b) If a feeable waiver request is attached, multiply the number of stations (call signs) times the number of rule sections and enter the result.
6) Are attachments being filed with this application? <b>Yes</b>
7a) Does the transaction that is the subject of this application also involve transfer or assignment of other wireless licenses held by the assignor/transferor or affiliates of the assignor/transferor (e.g., parents, subsidiaries, or commonly controlled entities) that are not included on this form and for which Commission approval is required? <b>Yes</b>
7b) Does the transaction that is the subject of this application also involve transfer or assignment of non-wireless licenses that are not included on this form and for which Commission approval is required? <b>Yes</b>

**Transaction Information**

8) How will assignment of authorization or transfer of control be accomplished? Court Order If required by applicable rule, attach as an exhibit a statement on how control is to be assigned or transferred, along with copies of any pertinent contracts, agreements, instruments, certified copies of Court Orders, etc.
9) The assignment of authorization or transfer of control of license is: <b>Involuntary</b>

**Licensee/Assignor Information**

10a) Taxpayer Identification Number: <b>980189783</b>	10b) SGIN: <b>000</b>	10c) FCC Registration Number (FRN): <b>0006587158</b>
11) First Name (if individual):	MI:	Last Name:
12) Entity Name (if not an individual): <b>Global Crossing Ltd.</b>		
13) Attention To: <b>Michael J. Shortley III</b>		
14) P.O. Box	And / Or	15) Street Address: <b>180 S. Clinton St.</b>
16) City: <b>Rochester</b>	17) State: <b>NY</b>	18) Zip: <b>14646</b>
19) Telephone Number: <b>(716)777-1028</b>	20) FAX: <b>(716)546-7823</b>	
21) E-Mail Address: <b>michael.shortley@globalcrossing.com</b>		

**22) Race, Ethnicity, Gender of Assignor/Licensee (Optional)**

Race:	American Indian or Alaska Native:	Asian:	Black or African-American:	Native Hawaiian or Other Pacific Islander:	White:
Ethnicity:	Hispanic or Latino:	Not Hispanic or Latino:			
Gender:	Female:	Male:			

**Transferor Information (for transfers of control only)**

23a) Taxpayer Identification Number:	23b) SGIN:	23c) FCC Registration Number (FRN):
24) First Name (if individual):	MI:	Last Name:
25) Entity Name (if not an individual):		
26) P.O. Box:	And / Or	27) Street Address:
28) City:	29) State:	30) Zip:
31) Telephone Number:	32) FAX:	
33) E-Mail Address:		

**Name of Transferor Contact Representative (if other than Transferor) (for transfers of control only)**

34) First Name:	MI:	Last Name:	Suffix:
35) Company Name:			
36) P.O. Box:	And / Or	37) Street Address:	
38) City:	39) State:	40) Zip:	
41) Telephone Number:	42) FAX:		
43) E-Mail Address:			

**Assignee/Transferee Information**

44) The Assignee is a(n): Corporation		
45a) Taxpayer Identification Number: 980189783	45b) SGIN: 000	45c) FCC Registration Number (FRN): 0006587158
46) First Name (if individual):	MI:	Last Name:
47) Entity Name (if other than individual): Global Crossing Ltd. (Debtor-in-Possession)		
48) Name of Real Party in Interest: Global Crossing Ltd	49) TIN: 980189783	
50) Attention To: Michael J. Shortley III		
51) P.O. Box:	And / Or	52) Street Address: 180 S. Clinton St.
53) City: Rochester	54) State: NY	55) Zip: 14646
56) Telephone Number: (716)777-1028	57) FAX: (716)546-7823	
58) E-Mail Address: michael.shortley@globalcrossing.com		

**Name of Assignee/Transferee Contact Representative (if other than Assignee/Transferee)**

59) First Name: Michael	MI: J	Last Name: Shortley	Suffix: III
60) Company Name: Global Crossing Ltd.			
61) P.O. Box:	And / Or	62) Street Address: 180 S. Clinton St.	
63) City: Rochester	64) State: NY	65) Zip: 14646	
66) Telephone Number: (716)777-1028	67) FAX: (716)546-7823		
68) E-Mail Address: michael.shortley@globalcrossing.com			

**Alien Ownership Questions**

69) Is the Assignee or Transferee a foreign government or the representative of any foreign government?	No
70) Is the Assignee or Transferee an alien or the representative of an alien?	No
71) Is the Assignee or Transferee a corporation organized under the laws of any foreign government?	Yes
72) Is the Assignee or Transferee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	Yes
73) Is the Assignee or Transferee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If 'Yes', attach exhibit explaining nature and extent of alien or foreign ownership or control.	Yes

**Basic Qualification Questions**

74) Has the Assignee or Transferee or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission? If 'Yes', attach exhibit explaining circumstances.	No
75) Has the Assignee or Transferee or any party to this application, or any party directly or indirectly controlling the Assignee or Transferee, or any party to this application ever been convicted of a felony by any state or federal court? If 'Yes', attach exhibit explaining circumstances.	No
76) Has any court finally adjudged the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? If 'Yes', attach exhibit explaining circumstances.	No
77) Is the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee currently a party in any pending matter referred to in the preceding two items? If 'Yes', attach exhibit explaining circumstances.	No

**78) Race, Ethnicity, Gender of Assignee/Transferee (Optional)**

<b>Race:</b>	American Indian or Alaska Native:	Asian:	Black or African-American:	Native Hawaiian or Other Pacific Islander:	White:
<b>Ethnicity:</b>	Hispanic or Latino:	Not Hispanic or Latino:			
<b>Gender:</b>	Female:	Male:			

**Assignor/Transferor Certification Statements**

1) The Assignor or Transferor certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memoirandum Opinion and Order</i> , 13 FCC Rcd. 6293(1998).			
2) The Assignor or Transferor certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.			
79) Typed or Printed Name of Party Authorized to Sign			
First Name: Michael	MI: J	Last Name: Shortley	Suffix: III
80) Title: Senior Associate General Counsel			
Signature: Michael J Shortley III		81) Date: 02/27/02	

**Assignee/Transferee Certification Statements**

- 1) The Assignee or Transferee certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for *pro forma* assignments and transfers by telecommunications carriers. See *Memoirandum Opinion and Order*, 13 FCC Rcd. 6293 (1998).
- 2) The Assignee or Transferee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.
- 3) The Assignee or Transferee certifies that grant of this application would not cause the Assignee or Transferee to be in violation of any pertinent cross-ownership, attribution, or spectrum cap rule.  
\*If the applicant has sought a waiver of any such rule in connection with this application, it may make this certification subject to the outcome of the waiver request.
- 4) The Assignee or Transferee agrees to assume all obligations and abide by all conditions imposed on the Assignor or Transferor under the subject authorization(s), unless the Federal Communications Commission pursuant to a request made herein otherwise allows, except for liability for any act done by, or any right accrued by, or any suit or proceeding had or commenced against the Assignor or Transferor prior to this assignment.
- 5) The Assignee or Transferee certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.
- 6) The Assignee or Transferee certifies that neither it nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998, 21 U.S.C § 862, because of a conviction for possession or distribution of a controlled substance. See Section 11.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.
- 7) The applicant certifies that it either (1) has an updated Form 602 on file with the Commission, (2) is filing an updated Form 602 simultaneously with this application, or (3) is not required to file Form 602 under the Commission's Rules.

**82) Typed or Printed Name of Party Authorized to Sign**

First Name: Michael	MI: J	Last Name: Shortley	Suffix: III
83) Title: Senior Associate General Counsel			
Signature: Michael J Shortley III		84) Date: 02/27/02	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

**Authorizations To Be Assigned or Transferred**

85) Call Sign	86) Radio Service	87) Location Number	88) Path Number (Microwave only)	89) Lower or Center Frequency (MHz)	90) Upper Frequency (MHz)	91) Constructed Yes / No
WPR617	AL					Yes

<b>FCC Form 603 Schedule A</b>	<b>Schedule for Assignments of Authorization and Transfers of Control in Auctioned Services</b>	Approved by OMB 3060 - 0800 See instructions for public burden estimate
------------------------------------	---	--

**Assignments of Authorization**

**1) Assignee Eligibility for Installment Payments (for assignments of authorization only)**

Is the Assignee claiming the same category or a smaller category of eligibility for installment payments as the Assignor (as determined by the applicable rules governing the licenses issued to the Assignor)?
If 'Yes', is the Assignee applying for installment payments?

**2) Gross Revenues and Total Assets Information (if required) (for assignments of authorization only)**

Refer to applicable auction rules for method to determine required gross revenues and total assets information

Year 1 Gross Revenues (current)	Year 2 Gross Revenues	Year 3 Gross Revenues	Total Assets:
------------------------------------	-----------------------	-----------------------	---------------

**3) Certification Statements**

**For Assignees Claiming Eligibility as an Entrepreneur Under the General Rule**

Assignee certifies that they are eligible to obtain the licenses for which they apply.
--

**For Assignees Claiming Eligibility as a Publicly Traded Corporation**

Assignee certifies that they are eligible to obtain the licenses for which they apply and that they comply with the definition of a Publicly Traded Corporation, as set out in the applicable FCC rules.
--

**For Assignees Claiming Eligibility Using a Control Group Structure**

Assignee certifies that they are eligible to obtain the licenses for which they apply.
Assignee certifies that the applicant's sole control group member is a pre-existing entity, if applicable.

**For Assignees Claiming Eligibility as a Very Small Business, Very Small Business Consortium, Small Business, or as a Small Business Consortium**

Assignee certifies that they are eligible to obtain the licenses for which they apply.
Assignee certifies that the applicant's sole control group member is a pre-existing entity, if applicable.

**For Assignees Claiming Eligibility as a Rural Telephone Company**

Assignee certifies that they meet the definition of a Rural Telephone Company as set out in the applicable FCC rules, and must disclose all parties to agreement(s) to partition licenses won in this auction. See applicable FCC rules.
--

**Transfers of Control**

**4) Licensee Eligibility (for transfers of control only)**

As a result of transfer of control, must the licensee now claim a larger or higher category of eligibility than was originally declared?
If 'Yes', the new category of eligibility of the licensee is:

**Certification Statement for Transferees:**

Transferee certifies that the answers provided in Item 4 are true and correct.
--

**Attachment List**

Attachment Type	Date	Description	Contents
Ownership	02/27/02	Exhibit A - Pro Forma Assignment to Debtor-in-Possession	<a href="#">0177309023219479682789304.pdf</a>
Ownership	02/27/02	Exhibit B - Pro Forma Assignment Foreign Ownership	<a href="#">0177309033219479682789304.pdf</a>