

03-46

FCC 603	FCC Wireless Telecommunications Bureau Application for Assignments of Authorization and Transfers of Control	Approved by OMB 3060 - 0800 See instructions for public burden estimate Submitted 01/10/2003 at 02:47PM File Number: 10001146844
----------------	---	---

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: _____

Type of Transaction

3a) Is this a pro forma assignment of authorization or transfer of control? **No**

3b) If the answer to Item 3a is 'Yes', is this a notification of a pro forma transaction being filed under the Commission's forbearance procedures for telecommunications licenses?

4) For assignment or authorization only, is this a partition and/or disaggregation? **No**

5a) Does this filing request a waiver of the Commission rules?

sections and enter the result.

6) Are attachments being filed with this application? **Yes**

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? **Yes**

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? **No**

Transaction Information

8) How will assignment of authorization or transfer of control be accomplished? **Spectrum exchange**
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: **Voluntary**

Licensee/Assignor Information

10) FCC Registration Number (FRN): 0004206645			
11) First Name (if individual):	MI:	Last Name:	Suffix:
12) Entity Name (if not an individual): BellSouth Mobility LLC			
13) Attention To: Kellye E. Abernathy			
14) P.O. Box:	And / Or	15) Street Address: 17330 Preston Road, Suite 100A	
16) City: Dallas	17) State: TX	18) Zip Code: 75252	
19) Telephone Number: (972)733-2000		20) FAX Number: (972)733-2865	
21) E-Mail Address:			

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

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

25) Entity Name (if not an individual):		
26) P.O. Box:	And / Or	27) Street Address:
28) City:	29) State:	30) Zip Code:
31) Telephone Number:	32) FAX Number:	

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 Code:	
41) Telephone Number:	42) FAX Number:		
43) E-Mail Address:			

44) The Assignee is a(n): Limited Liability Corporation			
45) FCC Registration Number (FRN): 0003291192			
46) First Name (if individual):	MI:	Last Name:	Suffix:
47) Entity Name (if other than individual): ATLT Wireless PCS, LLC			
		And / Or	49) Street Address: 1150 Connecticut Ave
		50) State:	DC
56) Telephone Number: (202)223-9333		57) FAX Number:	
58) E-Mail Address:			

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

59) First Name: David	MI: C	Last Name: Jatlow	Suffix:
60) Company Name: ATLT Wireless Services, Inc.			
61) P.O. Box:	And / Or	62) Street Address: 1150 Connecticut Avenue, NW. 4th Floor	
63) City: Washington	64) State: DC	65) Zip Code: 20036	
66) Telephone Number: (202)416-6540	67) FAX Number: (202)416-6539		
68) E-Mail Address: david.jatlow@attws.com			

Alien Ownership Questions

- 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 *pm forma* assignments and transfers by telecommunications carriers See Memorandum *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 or 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 1.2002(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.

83) Title: Vice President of Manager	
Signature: Douglas I Brandon	84) Date: 01/10/03
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) Frequency Number	90) Lower or Center Frequency (MHz)	91) Upper Frequency (MHz)	92) Constructed Yes / No
KNLG613	AL						Yes

Attachment List

Attachment Type	Date	Description	Contents
Other	01/09/03	Exhibit B - Litigation Disclosure	0178132692471092194441301.pdf
Other	01/09/03	Exhibit A - Lead Application Information	0178132942471092194441301.pdf

On or about September 30, 2002, a case captioned *Beeler, et al. v. AT&T Cellular Services, Inc., et al.* was filed in the United States District Court for the Northern District of Illinois, Eastern Division (Case No. 02C 6975). The Company is named as a defendant, along with several other wireless carriers providing service in the Chicago metropolitan area. Plaintiffs allege that the defendant carriers market handsets and wireless service through tying arrangements, and that each has monopolized the market for sales of handsets to its own subscribers.

On or about September 20, 2002, a case captioned *Truong, et al. v. AT&T Wireless PCS, LLC, et al.* was filed in the United States District Court for the Northern District of California (Case No. C 02 4580). The Company is named as a defendant, along with several other wireless carriers providing service in the San Francisco metropolitan area. This complaint is substantively identical to that filed in the *Beeler* case, described above.

On or about August 23, 2002, a case captioned *Millen, et al. v. AT&T Wireless PCS, LLC, et al.* was filed in the United States District Court for the District of Massachusetts (Case No. 02-1 1689). The Company is named as a defendant, along with several other wireless carriers providing service in the Boston metropolitan area. This complaint is substantively identical to that filed in the *Beeler* and *Truong* cases, described above.

On or about April 5, 2002, a case captioned *Wireless Consumers Alliance, Inc., et al. v. AT&T Cellular Services, Inc., et al.* was filed in the United States District Court for the Southern District of New York (Case No. 02 CV 2637). The Company is named as a defendant, along with several other wireless carriers providing service in the New York metropolitan area. Plaintiffs seek to certify a class consisting of persons who have purchased wireless service within the New York metropolitan area during the four years immediately preceding the filing of the complaint, and seek injunctive relief and damages under Section 1 of the Sherman Act.

On or about September 5, 2001, the second amended complaint in a case captioned *DiBaccio v. AT&T Wireless Services, Inc., et al.* was filed in Florida State Court (Eleventh Judicial Circuit, in and for Miami-Dade County) (Case No. 99-20450 CA-20). The Company is named as a defendant, along with *ABC Cellular Corp.*, a reseller of wireless services and handsets in South Florida. Plaintiff seeks damages for alleged monopolization of wireless phone services in South Florida under Section 542.19 of the Florida Statutes and conspiracy to monopolize under the same statute.

On or about September 27, 2002, a case captioned Morales, et. al. v. AT&T Wireless PCS, LLC, et. al. was filed in the United States District Court for the Southern District of Texas (Case No. L-02-CV120). The company is named as a defendant, along with several other wireless carriers providing service in **Texas**. The complaint is substantively identical to that filed in the Beeler, Millen and Truong cases mentioned above.

AT&T Wireless believes that none of the listed cases has merit

EXHIBIT A
DESCRIPTION OF TRANSACTION AND
PUBLIC INTEREST STATEMENT

Lead Application Information

This application is one of fourteen applications being filed in connection **with** the full and partial assignment of licenses between subsidiaries of AT&T Wireless Services, Inc., subsidiaries of Cingular Wireless LLC, Meriwether Communications LLC, **and** Skagit Wireless, LLC. Applicants have designated the application being filed concurrently for the assignment of licenses from Ameritech Mobile Communications, LLC to AT&T Wireless Services of Hawaii, Inc. **as** the lead application for the transaction (ULS File No. 0001 146802). Accordingly. Applicants hereby incorporate by referencc Exhibit **A** of the lead application.