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November 11, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 – 12 Street, SW  
Room TW-A325  
Washington, DC 20554

Re: *Status of BellSouth Reconsideration Petition in  
CC Docket Nos. 96-45 and 96-262*

Dear Ms. Dortch:

On December 6, 1999, BellSouth Cellular Corporation (a predecessor in interest to Cingular Wireless LLC) and BellSouth Corporation filed a Petition for Reconsideration and Clarification (“Petition”) of the Commission’s *Remand Order* in CC Docket 96-45 implementing the decision of the United States Court of Appeals for the Fifth Circuit in *Texas Office of Public Utility Counsel v FCC*, 183 F. 3d 393 (5<sup>th</sup> Cir. 1999). The Petition remains pending. In *Martha Self v BellSouth Mobility, Inc. et al.*, No. 98-JEO-25815 (N.D. Ala.), a case that involves issues that are raised in the Petition, the Court stayed the case in March, 2000, pending resolution of the Petition. The Judge in the *Martha Self* case has asked Cingular to inquire as to the status of the proceeding before the Commission. Pursuant to the Judge’s request, we hereby ask the FCC for a status report concerning the Petition.

If there are any questions, please contact me.

Sincerely yours,

CINGULAR WIRELESS LLC

Brian Fontes  
Vice President, Federal Relations