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April 12, 2004

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Ms. Marlene H. Dortch  
 Secretary  
 Federal Communications Commission  
 445 12<sup>th</sup> Street, SW, Room TW-A325  
 Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

RE Transfer of licenses from AT&T Wireless to Cingular Wireless  
 WT Docket No. 04-70  
EX PARTE

Dear Ms. Dortch

On April 8, 2004, Stan Sigman, President & CEO and Brian F. Fontes, Vice President-Federal Relations representing Cingular Wireless LLC ("Cingular Wireless") met with Commissioner Kathleen Abernathy and Jennifer Manner, Senior Counsel, to discuss issues related to the referenced docket proceeding. In particular the following was discussed:

- ***Appreciation for prompt release of Cingular/AWS public notice*** Now, let's move to a separate matter—Cingular's acquisition of AWS. I also wanted to thank you and the staff for issuing the public notice in a timely manner. Time is of the essence in this transaction and prompt release of the public notice is a positive first step.
- ***Public interest reasons for the merger: pro-consumer nationwide benefits*** The merger will enable Cingular to deliver to consumers the following important benefits on a national scale:
  - Substantially improve the quality of existing voice and basic data services nationwide,
  - Acquire the spectrum necessary to deploy advanced, third generation ("3G") services on a national scale more quickly and without customer disruption,
  - Create more value for consumers across the nation (particularly rural customers) by substantially expanding the coverage of the companies,
  - Achieve economies of scope and scale on a nationwide basis, and
  - Improve homeland security by strengthening the resiliency and survivability of Cingular's nationwide network.

The merger will also strengthen rather than lessen competition by creating a much stronger combined company while leaving five facilities-based competitors to compete robustly in the nationwide market.

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- *Need for prompt review* There are several reasons why a quick decision is needed
  - First, customers of both Cingular and AWS nationwide will receive the benefits of the merger just discussed only when the merger is approved,
  - Second, the Commission should avoid keeping two major wireless players in “lame duck” status for an extended period of time. The sooner Cingular can begin to combine the best of both companies, the better consumers will be served.

Pursuant to Section 1.1206 of the Commission’s Rules, this notification is being submitted to your office. Please associate this notification and accompanying material with the referenced docket proceedings.

If you have any questions concerning this submission, please contact the undersigned.

Sincerely,



Brian F. Fontes  
Vice President-Federal Relations  
Cingular Wireless

c c Commissioner Kathleen Abernathy  
Jennifer Manner