

May 26, 2004

By E-File

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, D.C. 20554

Re: *Petition to Adopt Conditions to Authorizations and Licenses In the Matter of NewComm Wireless Services, Inc. and ClearComm, L.P and TEM Puerto Rico, Inc. with regard to Applications for Consent to Transfer Control of PCS Licenses, Fixed Microwave Licenses, and an International Section 214 Authorization, and Petition for Declaratory Ruling Pursuant to Section 310(b)(4) of the Communications Act of 1934*

Dear Ms. Dortch:

Transmitted herewith, on behalf of the Department of Homeland Security (DHS), the Department of Justice (DoJ), and the Federal Bureau of Investigation (FBI) is the electronic filing of the "Petition to Adopt Conditions to Authorizations and Licenses", with attached Network Security Agreement ("Agreement") in the above-referenced matter. Please **accept this Petition and be advised that the DHS, DoJ, and the FBI have no objection to the Commission granting the proposed transfers of control and the petition for declaratory ruling, provided that the Commission conditions the grant on compliance by NewComm Wireless Services, Inc., TEM Puerto Rico, Inc., and Telefonica Moviles, S.A. with the terms of the Agreement reached between the NewComm Wireless Services, Inc., TEM Puerto Rico, Inc., and Telefonica Moviles, S.A. and the DHS, DoJ, and the FBI.**

Sincerely,

/s/ MYLA R. SALDIVAR-TROTTER

Myla R. Saldivar-Trotter
Office of the General Counsel
935 Pennsylvania Ave., N.W., Room 7877
Washington, D.C. 20535

Attachment

cc: **Qualex International**
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