



FEDERAL COMMUNICATIONS COMMISSION
Washington DC 20554

July 16, 2004

Via First Class Mail

Mr. Leonard Kennedy
Senior Vice President and General Counsel
Nextel Corp.
2001 Edmund Halley Drive
Reston, VA 20191

Re: Applications for Authority to Transfer Control of Licenses and Authorizations Held by AT&T Wireless Services, Inc. to Cingular Wireless Corporation (WT Docket No. 04-70)

Dear Mr. Kennedy:

On March 18, 2004, the Commission received applications seeking consent for the transfer of control of various Commission licenses and authorizations held by AT&T Wireless Services, Inc. and its wholly- and majority-owned subsidiaries to Cingular Wireless Corporation.¹ In order for the Commission to complete its review of the applications and make the necessary public interest findings under section 310(d) of the Communications Act,² we require information from other commercial wireless carriers against which the applicants compete.

Accordingly, pursuant to sections 4(i), 4(j), and 403 of the Act,³ we request that you provide subscriber information in certain geographic areas, as set forth in the Attachment. Your response will be treated as confidential pursuant to the Protective Order issued in WT Docket No. 04-70 on March 17, 2004.⁴ We would appreciate receiving your response no later than July 30, 2004.

Your response should be hand delivered to either Erin McGrath or Susan Singer of the Wireless Telecommunications Bureau and marked "Confidential Information – Subject to Protective Order in WT Docket No. 04-70 before the Federal Communications Commission." A cover letter indicating the delivery of your response must be filed with Marlene H. Dortch, Secretary, Federal Communications Commission, under reference number WT Docket No. 04-70. If a paper copy is filed, the Public Notice and the Protective

¹ The applications were submitted pursuant to Sections 214 and 310 of the Communications Act of 1934. 47 U.S.C. §§ 214, 310.

² 47 U.S.C. § 310(d).

³ 47 U.S.C. §§ 154(i), 154(j), 403. *See generally FCC v. Schreiber*, 381 U.S. 279 (1965).

⁴ Applications for the Transfer of Control of Licenses and Authorizations from AT&T Wireless Services, Inc. and Its Subsidiaries to Cingular Wireless Corporation – Order Adopting Protective Order, WT Docket No. 04-70, *Order*, DA 04-729 (rel. Mar. 17, 2004) ("Protective Order").

Order require the submission of multiple copies of the filing.⁵ If you file the cover letter electronically using the Commission's Electronic Comment Filing System ("ECFS"), you also should send a copy of the letter via e-mail to Erin McGrath, erin.mcgrath@fcc.gov, and to Susan Singer, susan.singer@fcc.gov.

If you have any questions regarding this matter, please contact Erin McGrath or Susan Singer, Wireless Telecommunications Bureau, at (202) 418-2042 or (202) 418-1340, respectively.

Sincerely,



John B. Muleta
Chief
Wireless Telecommunications Bureau



Martin K. Perry
Chief Economist
Federal Communications Commission

Attachment

cc: Mr. Lawrence R. Krevor – by facsimile

⁵ See AT&T Wireless Services, Inc. and Cingular Wireless Corporation Seek FCC Consent to Transfer Control of Licenses and Authorizations, WT Docket No. 04-70, *Public Notice*, DA 04-932 (rel. Apr. 2, 2004) ("Public Notice").

ATTACHMENT
INFORMATION REQUEST
JULY 16, 2004

1. Definitions:

- a. The phrase "relevant service" means:
 - i. Mobile wireless services;
 - ii. Mobile wireless voice services; and
 - iii. Mobile wireless data services.
- b. The phrase "relevant area" means:

Geographic Area Description	Geographic Area Name
CMA001	New York City, NY
CMA002	Los Angeles, CA
CMA003	Chicago, IL
CMA004	Philadelphia, PA
CMA005	Detroit, MI
CMA006	Boston, MA
CMA007	San Francisco, CA
CMA008	Washington, DC
CMA009	Dallas, TX
CMA010	Houston, TX
CMA011	St. Louis, MO
CMA012	Miami, FL
CMA014	Baltimore, MD
CMA016	Cleveland, OH
CMA017	Atlanta, GA
CMA018	San Diego, CA
CMA020	Seattle, WA
CMA021	Milwaukee, WI
CMA022	Tampa, FL
CMA023	Cincinnati, OH
CMA024	Kansas City, MO
CMA027	San Jose, CA
CMA028	Indianapolis, IN
CMA029	New Orleans, LA
CMA032	Hartford, CN
CMA033	San Antonio, TX
CMA034	Rochester, NY
CMA035	Sacramento, CA
CMA036	Memphis, TN
CMA037	Louisville, KY
CMA041	Birmingham, AL

CMA045	Oklahoma City, OK
CMA046	Nashville, TN
CMA047	Greensboro, NC
CMA051	Jacksonville, FL
CMA055	Worcester, MA
CMA057	Tulsa, OK
CMA060	Orlando, FL
CMA061	Charlotte, NC
CMA072	West Palm Beach, FL
CMA073	Oxnard, CA
CMA074	Fresno, CA
CMA075	Austin, TX
CMA080	Baton Rouge, LA
CMA083	Mobile, AL
CMA085	Johnson City, TN-VA
CMA090	Charleston, SC
CMA091	San Juan, Puerto Rico
CMA092	Little Rock, AR
CMA093	Las Vegas, NV
CMA097	Bakersfield, CA
CMA100	Shreveport, LA

2. For each relevant service in each relevant area, describe each price plan offered by your company. Should service provided in a relevant area include service provided by an affiliate, provide the requested data for the affiliate separately. For each price plan in each relevant area, provide the following information:
- a. The date the plan was first offered, and if the plan is no longer available, the date new customers could no longer enroll for that plan;
 - b. The price terms of the plan including, but not limited to the number and type of minutes included in the basic monthly subscription fee for the service used within a specified geographic area, the charge for minutes used in excess of the monthly plan allotment, roaming charges for mobile wireless services used outside a specified geographic area and promotional minutes, discount or rebates;
 - c. Additional features included with the plan, including but not limited to voice mail, call waiting, unlimited night and weekend calling, rollover minutes, conference calling and push to talk;
 - d. The number of subscribers and mobile access numbers enrolled in the plan separately by type of customer (*e.g.*, consumer, business, prepaid); this data should be provided for each month since January 1, 2002 and for each zip code in the relevant area. Please provide your response in Microsoft Excel format.
 - e. The total monthly revenue, the average revenue per minute, average monthly usage (*i.e.*, minutes) and average revenue per customers of each plan, breaking out (1) subscriber fees; (2) roaming fees; (3) fees for minutes in excess of the plan allotments; (4) equipment fees; and (5) other fees (briefly describe); this data should be provided for each month since January 1, 2002 and for each zip code in the relevant area. Please provide your response in Microsoft Excel format.

- f. The length of the contract term of each plan and any fees associated with activation of service or early termination of the contract by customer;
- g. Any restriction on which types of customers that may enroll in any specific plan;
- h. A detailed description of the geographic area(s) covered by the plan and any geographic restrictions or price differentials in a plan related to where a call originated or terminated;
- i. The equipment needed by a customer to enroll in each price plan; the cost of the equipment and any equipment subsidies or discounts your company provided to subscribers of each plan; and
- j. Any discount received by a customer for enrolling in a price plan in combination with local telephone service, long distance telephone service, or internet access service offered by your company, whether any of the services are to be provided solely by your company or in conjunction with an agreement with any other provider.