

**ALLTEL CORPORATION**

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**CONFIDENTIAL INFORMATION – SUBJECT TO PROTECTIVE ORDER IN WT  
DOCKET NO. 04-70 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**

August 2, 2004

**Filed Electronically via ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**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 Ms. Dortch:

By letter dated July 16, 2004, the Commission's Wireless Telecommunications Bureau and Chief Economist requested that ALLTELL Corporation ("ALLTEL") provide certain information to assist the Commission in reviewing the above-referenced applications.<sup>1</sup> The July 16 Letter also states that any such information submitted by ALLTEL "will be treated as confidential pursuant to the Protective Order issued in WT Docket No. 04-70 on March 17, 2004, DA 04-729 (the "Protective Order"). ALLTEL hereby notifies you that it has submitted the requested material consistent with the procedures established in the July 16 Letter. In that regard, ALLTEL's response is provided subject to all of the protections of the Protective Order and the following additional conditions.

First, ALLTEL's willingness to provide the requested information is specifically predicated on the assurance of Mr. Muleta and Mr. Perry, as expressed in the July 16 Letter, that ALLTEL's response will be treated as confidential under the Protective Order. To that end, ALLTEL has signified its good faith belief that the material should be protected from public disclosure under Protective Order, the Freedom of Information Act ("FOIA") and the Commission's implementing rules by designating the documents "Confidential Information –

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<sup>1</sup> Letter from John B. Muleta, Chief, Wireless Telecommunications Bureau, and Martin K. Perry, Chief Economist to Mr. Francis X. Frantz, Executive Vice President – External Affairs, General Counsel and Secretary, ALLTEL Corporation (dated July 16, 2004) ("July 16 Letter").

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Subject to Protective Order in WT Docket No. 04-70 before the Federal Communications Commission.” To the extent, however, that any further action is necessary to protect ALLTEL’s response from public disclosure, ALLTEL requests that you deem this letter to be a request to withhold the material from public disclosure pursuant to 47 C.F.R. § 0.459.

Second, ALLTEL requests that the Commission provide it notice and an opportunity to object should any party request to inspect the materials outside of the procedures provided in the Protective Order. To that end, ALLTEL specifically preserves any and all administrative and judicial remedies available under FOIA and the Commission’s implementing rules to protect the materials from review by the public.

Third, ALLTEL’s response is being provided voluntarily. ALLTEL therefore requests, pursuant to 47 C.F.R. § 0.459(e), that the materials submitted in response to the July 16 Letter be returned should the Commission decline to extend these materials confidential treatment for any reason whatsoever.

Finally, and in any event, ALLTEL requests that the Commission return the materials submitted in response to the July 16 Letter not less than two weeks after conclusion of the referenced proceeding (WT Docket No. 04-70) and any administrative or judicial review, as set forth in paragraph 14 of the Protective Order.

Please do not hesitate to contact the undersigned if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Glenn S. Rabin", written over a horizontal line.

Glenn S. Rabin  
Vice President  
Federal Communications Counsel  
ALLTEL Corporation

cc: Erin McGrath (letter via e-mail)  
Susan Singer (letter via e-mail, materials hand delivered)