

Explanation of Minor Amendment

In the Public Interest Statement for the transfer of control of authorizations held by BellSouth Corporation (“BellSouth”), Cingular Wireless LLC (“Cingular”), and their subsidiaries to AT&T Inc. (“AT&T”), the Applicants requested

that any Commission approval of the applications filed for this transaction include authority for AT&T to acquire control of: (1) any authorization issued to the respective licensees/transferees during the pendency of the transaction and the period required for consummation of the transaction; (2) any construction permits held by the respective licensees/transferees that mature into licenses after closing; (3) any applications that are pending at the time of consummation; and (4) any *de facto* transfer leases of spectrum into which BellSouth or Cingular subsidiaries enter as lessees during the pendency of the transaction and the period required for consummation of the transaction. . . . Moreover, because AT&T is acquiring BellSouth and Cingular and all of their FCC authorizations and *de facto* transfer leases of spectrum, AT&T requests that Commission approval include any authorizations that may have been inadvertently omitted.¹

Consistent with these requests, and to update the Commission’s licensing records in the manner agreed to with the Staff, the Applicants periodically have filed minor amendments concerning those call signs which BellSouth, Cingular, and their subsidiaries have obtained or of which they have disposed between the release of the Public Notice in this proceeding² and today.³ This Minor Amendments is an addition to this series.

¹ AT&T Inc. & BellSouth Corp., Description of Transaction, Public Interest Showing and Related Demonstrations at 125-26, *In re Applications of AT&T Inc. & BellSouth Corp.*, WC Docket No. 06-74 (filed Mar. 31, 2006) (“Public Interest Statement”).

² *Comm’n Seeks Comment on Application for Consent to Transfer of Control Filed by AT&T Inc. & BellSouth Corp.*, WC Dkt No. 06-74, Public Notice, DA 06-904 (WC rel. Apr. 19, 2006).

This Minor Amendment seeks authority to transfer control of New Cingular Wireless PCS, LLC (the “Licensee”). At the time the transfer of control applications originally were filed, the Licensee did not have any authorizations in the satellite services. On December 20, 2006, the International Bureau released a public notice granting the Licensee a satellite earth station, call sign E060408.⁴

As noted above, the Public Interest Statement requested “authority for AT&T to acquire control of: (1) any authorization issued to the respective licensees/transferors during the pendency of the transaction and the period required for consummation of the transaction.” Consequently, the public has been fully on notice that AT&T intends to acquire control of any license that BellSouth or Cingular might acquire while this transaction is pending before the Commission. Additionally, this Minor Amendment does not affect the engineering of station E060408 (and therefore does not affect the interference potential or frequency of the station or have any environmental impact). Because of those facts and because the Applicants are making this filing in the manner requested by the Staff, this filing qualifies as a minor amendment under Section 25.116(b) of the Commission’s rules.⁵ In similar circumstances, minor amendments

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³ The Applicants previously filed 44 such minor amendments on October 10-12, 2006, five such minor amendments on November 2, 2006, one such minor amendment on November 17, 2006, and five such minor amendments on December 1, 2006. Those amendments are summarized on Exhibits 4, 6, 7, and 8, respectively.

⁴ See *Satellite Commc’ns Servs. Info. Re: Actions Taken*, Public Notice, Rept. No. SES-00883, at 2-3 (IB rel. Dec. 20, 2006) (granting File No. SES-LIC-20061110-01981).

⁵ 47 C.F.R. § 25.116(b).

involving new applications have not been placed on separate public notices before they were granted.⁶ Likewise, no separate public notice should be required here.

⁶ See *In re Applications of SBC Commc'ns Inc. & AT&T Corp.*, Memorandum Opinion and Order, 20 FCC Rcd. 18290, 18398 n.568 (2005) (granting an application filed as a minor amendment subsequent to the public notice in the proceeding and without issuance of a separate public notice because the applicants had requested authority to transfer control of any authorizations inadvertently omitted from the original applications); *In re Applications of SBC Commc'ns Inc. & BellSouth Corp.*, Memorandum Opinion and Order, 15 FCC Rcd. 25459, 25460 ¶ 4 n.6 (WTB/IB 2000) (granting, without issuance of separate public notices, various applications to transfer control of entities acquired while the main transaction was pending before the Commission).