

January 28, 2008

VIA ECFS

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

Re: Petition for Declaratory Ruling Filed by SunCom and Opposition and Cross-Petition for Declaratory Ruling Filed by Debra Edwards, Seeking Determination of Whether State Law Claims Regarding Early Termination Fees Are Subject to Preemption Under 47 U.S.C. Section 332(C)(3)(A), WT Docket No. 05-193;

Wireless Telecommunications Bureau Seeks Comment on Petition for Declaratory Ruling Filed By CTIA Regarding Whether Early Termination Fees Are “Rates Charged” Within 47 U.S.C. Section 332(C)(3)(A), WT Docket No. 05-194;

Withdrawal of Petitions for Declaratory Ruling and Associated Filings

Dear Ms. Dortch:

SunCom Operating Company L.L.C. (“SunCom”) and Debra Edwards (“Edwards”), by their attorneys, hereby request to withdraw their respective Petition for Declaratory Ruling, Opposition and Cross-Petition for Declaratory Ruling (collectively, the “Petitions”) and all associated filings in the above-referenced proceedings and request that the Commission dismiss the Petitions without further consideration.

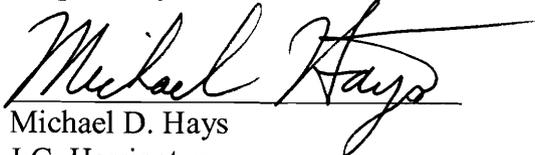
On or about January 21, 2008, SunCom and Edwards entered into a settlement agreement that resolved their dispute regarding early termination fees for wireless telephone service and will terminate the litigation that gave rise to the Petitions. As part of the Agreement, SunCom and Edwards agreed to withdraw their participation in the above-referenced proceedings. SunCom and Edwards therefore submit that no public or private interest would be served by Commission action on the Petitions or by consideration of the parties’ positions in WT Docket Nos. 05-193 and 05-194, and respectfully request that the Commission dismiss the Petitions and all associated filings without further review. Specifically, SunCom and Edwards request dismissal of the following filings:

- Petition For Declaratory Ruling, filed by SunCom on February 22, 2005;

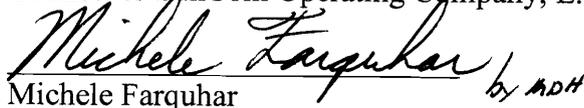
- Opposition To Petition For Declaratory Ruling and Cross-Petition for Declaratory Rulings, filed by Debra Edwards on March 4, 2005;
- Comment Re Petition For Declaratory Ruling Filed By SunCom Regarding Whether Early Termination Fees Are "Rates Charged" Within 47 U.S.C. Section 332(c)(3)(A), filed by Debra Edwards on June 10, 2005;
- Comment Re Petition For Declaratory Ruling Filed By CTIA Regarding Whether Early Termination Fees Are "Rates Charged" Within 47 U.S.C. Section 332(c)(3)(A), filed by Debra Edwards on June 10, 2005;
- Comments of SunCom Operating Company L.L.C. on Debra Edwards' Opposition And Cross-Petition For Declaratory Ruling, filed by SunCom on August 5, 2005;
- Reply Comments Of SunCom Wireless Operating Company, L.L.C., filed August 25, 2005;
- Notice of Oral Ex Parte Communication, filed by SunCom on April 16, 2007;
- Ex Parte Presentation, filed by SunCom on May 11, 2007.

Kindly contact the undersigned counsel if you have any questions regarding this matter.

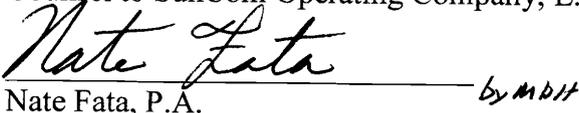
Respectfully submitted,



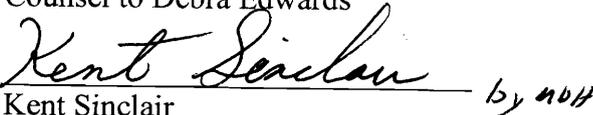
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cc: Chairman Kevin J. Martin
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Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell
Aaron Goldberger
Bruce Gottlieb
Renee Crittendon
Wayne Leighton
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