

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In re Applications of)
)
ATLANTIS HOLDINGS LLC, Transferor,)
)
and) WT Docket No. 08-95
)
CELLCO PARTNERSHIP d/b/a VERIZON)
WIRELESS, Transferee)
)
for Consent to the Transfer of Control of)
Commission Licenses, Leases and Authorizations)
Pursuant to Sections 214 and 310(d) of the)
Communications Act)

**OPPOSITION OF ATLANTIS HOLDINGS LLC AND
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS TO
MOTION FOR EXTENSION OF TIME OF RURAL
TELECOMMUNICATIONS GROUP, INC.**

Atlantis Holdings LLC (“Atlantis”) and Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”) strongly oppose the Motion for Extension of Time¹ filed by the Rural Telecommunications Group, Inc. (“RTG”).² As discussed below, the sole basis for RTG's motion is a letter submitted by Verizon Wireless on July 22, 2008.³ That letter, however, serves only to reduce the range of potential issues to be addressed in any filings here, and raises no new

¹ Motion for Extension of Time filed by the Rural Telecommunications Group, Inc., WT Docket No. 08-95 (filed July 23, 2008) (“Extension Request”).

² In its Motion, RTG asserts that the association, through its unidentified members, is a "real party in interest" in this proceeding. In responding to this motion, Verizon Wireless reserves the right to address the merits of that standing claim if and when RTG files a petition to deny the transfer applications and provides information on its membership.

³ Letter from John T. Scott, III, Vice President and Deputy General Counsel – Regulatory Law, Verizon Wireless, to Marlene H. Dortch, Secretary, Federal Communications Commission, WT Docket No. 08-95 (filed July 22, 2008).

issues that were not already addressed in the Public Interest Statement filed with the transfer of control applications. Accordingly, that letter provides no plausible basis for an extension, and any extension would be both unwarranted and at odds with Commission practice. Moreover, an extension of the filing period would unnecessarily delay the Commission's review of the transaction, thereby delaying the many benefits to the public that will result from this transaction, including the expansion of wireless broadband service to the rural areas that comprise a large portion of the ALLTEL footprint.

First, "[i]t is the policy of the Commission that extensions of time shall not be routinely granted."⁴ Here, RTG points to the July 22 letter as the sole basis for its Extension Request. However, that letter merely reduces the potential issues to be addressed in any filings in this proceeding by providing clarification of matters contained in the transfer of control applications and raises no new issues that would impose a burden of further analysis on any interested parties. This provides no grounds for any extension of time.

Contrary to RTG's assertion,⁵ the Public Interest Statement filed with the transfer applications already placed on public notice addressed both of the issues described in the letter. Specifically, the Public Interest Statement indicated that Verizon Wireless expected to address any competitive issues in individual markets through divestitures that would be identified as discussions with the Department of Justice ("DOJ").⁶ In addition, in the Public Interest Statement, Verizon Wireless committed to honor the terms of ALLTEL's roaming agreements with other carriers.⁷

⁴ 47 C.F.R. §1.46(a).

⁵ Extension Request at 2.

⁶ Public Interest Statement at 8.

⁷ *Id.* at 17.

The June 22 letter merely provides an update on the status of the ongoing DOJ review and provides clarification of the roaming commitment. In particular, it provides a list of cellular markets in which Verizon Wireless has offered to accept divestiture requirements in discussions with DOJ. This information does not change the nature of the transaction before the Commission or do anything to expand the competitive analysis that parties and the Commission may conduct. On the contrary, the identification of potential divestiture markets *reduces* the scope of that analysis.

Similarly, the letter's two-sentence clarification of the roaming commitment contained in the Public Interest Statement likewise raises no new issues. Again, the clarification serves to *reduce* any questions and/or concerns about the scope of that commitment and, therefore, reduces the issues to be addressed by the Commission and interested parties. The addition of this limited information to the docket thus plainly provides no basis for granting an extension of time.⁸

Second, although the Applicants see no reason why RTG could not revise any filing it plans to make to omit any discussion that is no longer relevant because of the July 22 letter's narrowing of the issues, the Applicants hereby waive any objection to RTG using its reply comments to address issues related to the July 22 letter that otherwise should have been raised in its opening comments. Accordingly, RTG would not be prejudiced by any denial of its Extension Request.

⁸ Further, contrary to RTG's suggestion, it is abundantly clear that the limited information provided in the Verizon Wireless Letter does not constitute a major modification of the applications. Section 1.929 of the Commission's rules precisely defines what constitutes a major change to an application requiring additional public notice. 47 C.F.R. § 1.929. It is obvious that the information in the letter does not fall into any of these identified categories. As such, to the extent the information is even considered a change, it is by definition minor. *See* 47 C.F.R. § 1.929(k).

CERTIFICATE OF SERVICE

On this 24th day of July, 2008, I, Patricia Destajo, hereby certify that I caused the foregoing "Opposition" to be mailed, via First Class mail, postage pre-paid, to:

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/s/

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