

**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 and Authorizations)	
Pursuant to Sections 214 and 310(d) of the)	
Communications Act)	

MOTION TO EXTEND TIME TO FILE A REPLY

Leap Wireless International, Inc. (“Leap”) hereby moves for a short extension of three business days to January 6, 2009¹ to file its reply to the Joint Opposition to Petitions for Reconsideration filed by Cellco Partnership d/b/a Verizon Wireless (“Verizon”) and Atlantis Holdings LLC (“Atlantis”) (together, the “Applicants”).² Leap has consulted with both Verizon and Atlantis and both have indicated that they do not object to the short extension. Consistent

¹ Leap filed its petition for clarification or reconsideration in this matter on December 10, 2008, and served it by mail on the Applicants. This meant that the applicants had until December 24, 2008 to file their oppositions. The Applicants in fact filed on December 22, 2008, and purported to serve Leap by electronic mail. Under the Commission’s rules, the deadline for filing replies is “seven days after the last day for filing oppositions,” *i.e.*, seven days from December 24, or December 31. As a result, a 3 business-day extension would mean that Leap’s reply would be due on January 6, 2008.

² See Joint Opposition to Petitions for Reconsideration filed by Cellco Partnership d/b/a Verizon Wireless and Atlantis Holdings LLC, *filed in* WT Docket No. 08-95 (filed Dec. 22, 2008).

with the Commission's rules, Leap has orally notified a number of Commission staff of its intent to file this motion to extend time.³

Leap recognizes that the Commission does not routinely grant extensions of time.⁴ However, in this case, a short three business-day extension would not significantly delay or lengthen proceedings, and is particularly warranted in view of the two federal public holidays that fell within the reply period. In effect, the Commission would be receiving Leap's reply no later than if the Applicants had served Leap by mail. Allowing Leap a short extension would also serve the public interest by allowing Leap to present the Commission with a more refined response to the matters raised by the Applicants in the Joint Opposition. Finally, neither Verizon nor Atlantis would be prejudiced by a short extension, as their non-opposition to this motion indicates.

For all of these reasons, Leap respectfully requests that the motion be granted.

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December 29, 2008

³ See 47 C.F.R. § 1.46(c). Specifically, Counsel for Leap has spoken with Linda Ray by telephone, and has left voicemail messages with Erin McGrath, Susan Singer and Jim Bird.

⁴ See 47 C.F.R. § 1.46.

CERTIFICATE OF SERVICE

I, Chung Hsiang Mah, hereby certify that on December 29, 2008, I caused true and correct copies of the foregoing to be served on the following by first-class United States mail or, where indicated by *, by electronic mail:

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