



# PUBLIC NOTICE

Federal Communications Commission  
445 12th St., S.W.  
Washington, D.C. 20554

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**DA 00-368**  
**February 24, 2000**

**COMMISSION SEEKS COMMENT ON AIRADIGM COMMUNICATIONS INC.'S  
CONTINGENT EMERGENCY PETITION  
FOR REINSTATEMENT OR IN THE ALTERNATIVE FOR WAIVER**

**Comment Date: March 17, 2000**

**Reply Date: March 31, 2000**

Airadigm Communications Inc. ("Airadigm") filed a "Contingent Emergency Petition for Reinstatement or in the Alternative for Waiver" (the "Petition") of the automatic cancellation of its PCS C and F Block licenses. Airadigm argues that reinstating its licenses, or granting a waiver of cancellation of its licenses, would serve the public interest by permitting the continued delivery of wireless services.

Parties should not construe the Commission's request for comment on Airadigm's petition to include the operation of the Commission's automatic cancellation rules or the effect of bankruptcy on the operation of those rules. We intend by this notice to limit comment to Airadigm's request for regulatory relief in the form of license reinstatement, or alternatively, a waiver of the automatic cancellation of the licenses under the Commission's rules.

Interested parties may file comments on or before March 17, 2000. Parties interested in submitting reply comments must do so on or before March 31, 2000. All comments should reference Airadigm's petition and include the DA number of this Public Notice (DA 00-368). Comments and replies should be filed with the Office of the Secretary, Federal Communications Commission, TW B204, 445 12th St. S.W. Washington, DC 20554. Copies of the comments and replies should also be provided to José M. Ochoa, Auctions and Industry Analysis Division, Rm # 4-B544, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th St. S.W. Washington, DC 20554.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. 47 C.F.R. §§ 1.1200(a), 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda describing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the

Commission's rules, 47 C.F.R. § 1.1206(b).

The Airadigm petition is available for public inspection and copying in the Reference Center, Room CY A257, 445 12th St., S.W., Washington, DC 20554. Copies of the petition are also available from ITS at 1231 20th St. N.W., Washington, DC 20036, or by calling (202) 857-3800.

For further information, contact José M. Ochoa of the Auctions and Industry Analysis Division at (202) 418-0660.

By the Chief, Wireless Telecommunications Bureau

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