



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W. WASHINGTON, D.C. 20554

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COMMISSION STAFF REQUESTS SUBMISSION OF SUPERIOR ALTERNATIVES TO PROPOSED AGREEMENT TO RESOLVE POCKET COMMUNICATIONS BANKRUPTCY

In re Pocket Communications, Inc., No. 97-5-4105-ESD, and *In re DCR PCS, Inc.*,
No. 97-5-4106-ESD (Jointly Administered Under No. 97-5-4105-ESD)

Subject to higher and better alternatives, the Commission staff, in coordination with the staff of the Department of Justice, Civil Division, expects to recommend a proposed transaction ("Proposed Transaction") that would resolve the above-referenced bankruptcy proceeding involving DCR PCS, Inc., and Pocket Communications, Inc. (collectively "Pocket"). The purpose of this Public Notice is to begin the process for receiving alternative proposals and evaluating whether any of them constitutes a better alternative for the United States.

Appended hereto as Attachment A are portions of a term sheet describing the Proposed Transaction. Key terms include the following: (1) a newly formed entity would acquire the FCC licenses of DCR PCS, Inc., that comprise the Dallas and Chicago MTAs; (2) license payments for authority to operate in those markets would be made to the United States in accordance with Schedule 5.1.1 to the attached term sheet; (3) all other licenses of DCR PCS, Inc., would be returned to the FCC; and (4) the Pocket bankruptcy proceedings would be resolved.

Parties interested in offering superior alternative proposals to the Proposed Transaction are requested to do so in writing by May 7, 1998. Parties submitting superior alternatives must demonstrate compliance with the Commission's rules and policies governing PCS C Block eligibility and ownership.¹ Prior to Commission staff entering into discussions or accepting a submission by a party, the party must represent in writing to the Commission that doing so would not contravene any agreement with the DIP Lenders (as defined in the attached term sheet).

¹ See 47 C.F.R. §§ 1.2110 and 24.709.

Neither this Public Notice nor any proposals responsive thereto or discussions of such proposals shall constitute the solicitation of votes as to a plan of reorganization in the Pocket cases or the filing of such a plan, each of which shall be subject to the provisions of the Bankruptcy Code and related bankruptcy procedures.

Written alternatives to the Proposed Transaction should be submitted to the Office of General Counsel, 1919 M Street, N.W., attention: David E. Horowitz, Esq., Room No. 622, Stop Code 1440B, Washington, DC 20554.

For further information, please contact FCC Wireless Telecommunications Bureau staff at (717)338-2888.