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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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April 4, 2001

BY HAND DELIVERY

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Petition for Declaratory Ruling under Section 310(b)(4) of the  
Communications Act of 1934, as Amended  
Withdrawal  
IB Docket No. 00-187

Dear Ms. Salas:

Cook Inlet Region, Inc. ("CIRI") hereby withdraws a Petition for Declaratory Ruling filed on October 13, 2000 in the above referenced proceeding.

CIRI and VoiceStream Wireless Corporation ("VoiceStream") filed two alternative Petitions for Declaratory Ruling, pursuant to Section 310(b)(4), requesting the Commission to allow indirect foreign ownership in twelve entities (the "CIVS Entities") in excess of the twenty five percent statutory benchmark. One petition, filed on October 20, 2000, in conjunction with the proposed transfer of control of the CIVS Entities from CIRI to VoiceStream (the "CIRI-VoiceStream Petition"), requested that the Commission authorize foreign ownership in excess of the twenty five percent benchmark that would result upon transfer of the CIVS Entities to VoiceStream because of VoiceStream's current authorized levels of foreign ownership.<sup>1</sup> The other petition filed on October 13, 2000, was filed in connection with

<sup>1</sup> See *Cook Inlet/VoiceStream PCS, LLC; Cook Inlet/VoiceStream License, LLC; Cook Inlet/VS GSM II PCS, LLC; Omnipoint Atlantic City License, LLC; Omnipoint Dover License, LLC; Omnipoint Philadelphia License, LLC; Cook Inlet/VS GSM III PCS, LLC; CIVS PA I LLC; CIVS PA III, LLC; D&E/Omnipoint Joint Venture, L.P.; Omnipoint Philadelphia-E Lancaster E License, LLC; and Cook Inlet/VoiceStream PV/SS PCS L.P.*, Petition for Determination of the Public Interest Under Section 310(b)(4) of the Communications Act of 1934, As Amended, File No. ISP-PDR-20001020-00033, granted by *In re Applications of Cook Inlet Region, Inc., Transferor and VoiceStream Wireless Corporation, Transferee For Consent to Transfer of* (continued...)

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Deutsche Telekom AG's ("DT") proposed merger with VoiceStream (the "VoiceStream-DT Petition"). The VoiceStream-DT Petition requested, alternatively, that the Commission authorize indirect foreign ownership in excess of the twenty five percent benchmark that would result if DT acquired VoiceStream before control of the CIVS Entities was transferred to VoiceStream.

On December 13, 2000, the Commission granted the CIRC-VoiceStream Petition, finding that the public interest would be served by allowing indirect foreign ownership in excess of the twenty-five percent statutory benchmark at the time the Commission granted the twelve transfer of control applications.<sup>2</sup> CIRC and VoiceStream consummated the transfer of the CIVS Entities on December 14, 2000. Because the transfers of control were in fact consummated before the merger of VoiceStream and DT, the VoiceStream-DT Petition is now moot. CIRC, therefore, withdraws the VoiceStream-DT Petition.

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*Control of Licenses and Authorizations and For Consent to Transfer an International Section 214 Authorization and Cook Inlet/VoiceStream PCS, LLC, et al. Applicants Petition for Declaratory Ruling Under Section 310(b)(4) of the Communications Act of 1934, As Amended, WT Docket No. 00-207 (rel. Dec. 13, 2000).*

<sup>2</sup> *Id.* .

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Please feel free to contact the undersigned counsel if you have any questions regarding the withdrawal of the VoiceStream-DT Petition.

Respectfully submitted,

**Cook Inlet Region, Inc., Transferor of:**

**Cook Inlet/VoiceStream PCS, LLC,  
Cook Inlet/VoiceStream License, LLC,  
Cook Inlet/VS GSM II PCS, LLC,  
Omnipoint Atlantic City License, LLC,  
Omnipoint Dover License, LLC,  
Omnipoint Philadelphia License, LLC,  
Cook Inlet/VS GSM III PCS, LLC,  
CIVS PA I, LLC,  
CIVS PA III, LLC,  
D&E/Omnipoint Joint Venture, L.P.,  
Omnipoint Philadelphia-E Lancaster E License, LLC  
Cook Inlet/VoiceStream PV/SS PCS L.P.**

By:



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cc: Claire Blue, International Bureau  
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