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DOCKET NO. 40410

**APPLICATION OF TX-10, LLC D/B/A §
CELLULAR ONE FOR DESIGNATION §
AS AN ELIGIBLE §
TELECOMMUNICATIONS CARRIER §
IN THE STATE OF TEXAS FOR THE §
PURPOSE OF ESTABLISHING §
ELIGIBILITY TO PARTICIPATE IN §
THE MOBILITY FUND PHASE I §
AUCTION ON SEPTEMBER 27, 2012 AT §
THE FEDERAL COMMUNICATIONS §
COMMISSION §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**ORDER NO. 2
DEEMING APPLICATION SUFFICIENT FOR FURTHER REVIEW**

On May 21, 2012, TX-10, LLC d/b/a Cellular One (Cellular One or the Company) filed with the Public Utility Commission (Commission) an application for designation as an eligible telecommunications carrier (ETC), pursuant to 47 U.S.C. §214(e) and P.U.C. SUBST. R. 26.418. Cellular One is requesting ETC designation for purposes of establishing eligibility to participate in the Mobility Fund Phase I auction at the Federal Communications Commission (FCC). On May 29, 2012, Cellular One filed a letter clarifying its intent to only seek designation as an ETC for the purpose of establishing eligibility to participate in the Mobility Fund Phase 1 auction on September 27, 2012. Cellular One stated that all references to the Company seeking ETC designation for the Mobility Fund Phase 2 auction are withdrawn.

On May 31, 2012, Commission Staff stated that it reviewed the application of Cellular One for designation as an ETC conditioned upon the Company receiving Mobility Fund Phase 1 support, finding it sufficient for review. Based on Commission Staff's recommendation, the application is deemed sufficient for further review.

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SIGNED AT AUSTIN, TEXAS the 4th day of June 2012.

PUBLIC UTILITY COMMISSION OF TEXAS



ANDREW KANG
ADMINISTRATIVE LAW JUDGE

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