

**David Cosson**  
ATTORNEY AT LAW

5151 Wisconsin Ave, N.W.  
Washington, D.C. 20016

Telephone (202) 333-5275

February 12, 2015

Via ECFS.

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street SW  
Room TW-A325  
Washington, DC 20554

Re: Rural Broadband Services Corporation, Inc., Request for Waiver of Requirement for Letter of Credit, Rural Broadband Experiments, WC Docs. 14-259, 10-90. *Ex Parte* Notice

Dear Ms. Dortch:

On February 12, 2015, Roy Choates of Rural Broadband Services Corporation, Inc. (“RBSC”), Charles Byrd Sr., of AFL, and myself on behalf of RBSC met with Amy Bender, Legal Advisor to Commissioner O’Rielly and subsequently with Travis Litman, Legal Advisor to Commissioner Rosenworcel to discuss RBSC’s application for funding through the Rural Broadband Experiments program and the Order of the Wireline Competition Bureau denying RBSC’s request for a waiver of the requirement that provisionally selected bidders provide three years of audited financial statements.

The RBSC representatives explained that as a startup company operating for less than a year at the time it was impossible to produce three years of financial statements, but that RBSC had provided other evidence of its financial ability to construct and operate the proposed Broadband network. We explained that a “no-startups” policy was inconsistent with the public interest and the objectives of the Rural Broadband Experiments to obtain information about innovative alternative providers who could offer superior Broadband service to unserved Tribal lands at cost in CA funds significantly below that which to which the ILEC would be entitled as model support. We also explained why the Bureau did not have delegated authority to issue the Order, and that it constituted an unacknowledged change in position. These points will be further explained in an Application for Review that will be filed in the near future.

Sincerely yours

David Cosson  
Counsel to Rural Broadband Services Corporation, Inc.

cc: Amy Bender, Travis Litman