

FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
MARKET DISPUTES RESOLUTION DIVISION
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Via E-Mail

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Re: *AT&T Mobility LLC (AT&T) v. Iowa Wireless Services LLC (iWireless)*, Proceeding No. 15-259; File No. EB-15-MD-007

Dear Counsel:

This letter ruling addresses the Motion for Interim Relief¹ that AT&T filed contemporaneously with its Complaint.² AT&T's Motion requested an order that, subject to a true-up, requires iWireless to (i) continue to provide voice and data roaming services at the rates set forth in the Agreement, or (ii) make a best and final offer, and provide voice and data roaming services in accordance with that offer.³ AT&T's request is premised in part on the Commission's *Data Roaming Order*, which addressed a requesting provider's "ability to obtain data roaming service on an interim basis during the pendency of the [roaming] dispute."⁴

By contract, from 2008 until 2015, iWireless charged AT&T a data roaming rate of [REDACTED] and a voice roaming rate of [REDACTED].⁵ The current contract expires on December 20, 2015. We direct iWireless to continue to provide roaming at these rates during the pendency of this proceeding, in accordance with the *Data Roaming Order*. Service at these rates will be subject to a possible "true-up,"

¹ Motion for Interim Relief, File No. EB-15-MD-007 (filed Oct. 21, 2015). iWireless opposes the Motion, and the parties have thoroughly briefed the issues. See Opposition to Motion for Interim Relief, No. 15-259, EB-15-MD-007 (filed Nov. 20, 2015); AT&T's Reply In Support of its Motion For Interim Relief, No. 15-259, EB-15-MD-007 (accepted as filed Dec. 8, 2015); iWireless's Surreply to AT&T's Reply in Support of AT&T's Motion for Interim Relief, No. 15-259, EB-15-MD-007 (accepted as filed Dec. 8, 2015).

² Formal Complaint and Legal Analysis of AT&T Mobility LLC, EB-15-MD-007 (filed Oct. 21, 2015).

³ Motion at 11.

⁴ See Motion at 7 (citing Second Report and Order, *Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers and Other Providers of Mobile Data Services*, 26 FCC Rcd. 5411, 5450-51 at ¶¶ 79-80 (2011) (*Data Roaming Order*)).

⁵ See Motion to Compel Compliance with Confidentiality Orders and for Related Relief Proceeding, No. 15-259; File No. EB-15-MD-007 (filed Nov. 6, 2015) at 12.

meaning that these rates can be retroactively adjusted in accordance with a judgment on the merits at the conclusion of this proceeding. Requiring iWireless to continue to provide roaming at these rates while this dispute is pending will essentially preserve the status quo, and will serve the public interest. We express no view at this juncture on the merits of the parties' dispute.

This letter ruling is issued pursuant to sections 4(i), 4(j), 201, 202, 301, 303, 309, and 332 of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 201, 202, 301, 303, 309, and 332 and sections 0.311, 1.720-1.735, and 20.12 of the of the Commission's rules, 47 C.F.R. §§ 0.311, 1.720-1.735, and 20.12, and the *Data Roaming Order*, 26 FCC Rcd. 5411 (2011).

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Chi Killion". The signature is written in a cursive, somewhat stylized font.

Christopher Killion
Chief, Market Disputes Resolution Division