

April 21, 2016

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

EX PARTE

**Re: *Special Access Rates for Price Cap Local Exchange Carriers*, WC Docket
No. 05-25 and RM-10593**

Dear Ms. Dortch:

The undersigned representative of Competitive Carriers Association, INCOMPAS, Sprint, T-Mobile, and U.S. Cellular, consistent with the Verizon and INCOMPAS agreement,¹ urge the Commission to adopt policies to ensure reasonable access to high capacity Business Data Services (“BDS”), also known as special access services, including high bandwidth Ethernet services. Access to high capacity BDS at reasonable prices—as Chairman Wheeler says “fast and fair”²—is vital for wireless providers to meet the current demand for wireless broadband services and to build next generation mobile broadband networks. This access is critical throughout the country, including in rural areas.

Wireless consumers demand access to broadband content wherever they are and on whatever device they choose—and this demand is ever-increasing. In particular, a growing number of mobile devices and services, from cars to vending machines, Fitbits to heart monitors, are relying upon mobile broadband networks to quickly transmit information. To meet these demands, competitive carriers are developing and plan to deploy next generation mobile networks that will provide high capacity, high speed, and low latency services to data-hungry consumers. These 5G networks will increase competitive carriers’ current network capacity with an integrated and dense network of cell sites. These advanced mobile networks will improve precision agriculture, expand telemedicine to every community, connect schools and students with advanced networks, and improve social inclusion throughout the United States and particularly in rural America.³ These densified networks will require thousands of new cell sites, however, and an increase in dedicated wireline access, including access to large bandwidth Ethernet services of 100 Mbps or more.

¹ Letter of Kathleen Grillo, Verizon, and Chip Pickering, INCOMPAS, to Marlene H. Dortch, WC Docket No. 05-25, RM-10593, April 7, 2016.

² Remarks of FCC Chairman Tom Wheeler INCOMPAS Policy Summit, April 11, 2016, Gaylord National Hotel & Convention Center, National Harbor, Md., available at: <https://www.fcc.gov/document/remarks-chairman-wheeler-incompas-policy-summit>

³ See *Ex Parte* Letter from Steven K. Berry, President and CEO, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 10-208 (filed Nov. 16, 2015).

As the Chairman recently recognized “you can't have cell densification, which makes wireless networks work better, without backhaul, which requires [BDS]⁴...Without a healthy BDS market, we put at risk the enormous opportunity for economic growth, job creation and U.S. competitiveness that 5G represents.”⁵ Accordingly, this proceeding—and, in particular, its treatment of high bandwidth Ethernet services—will directly impact the speed and capacity of the next generation of mobile broadband services.

We look forward to working with the Commission to develop strong, sound policies that will ensure more connections, better networks, lower prices and more competitive markets of today and tomorrow for the benefit of consumers across the country.

/s/ Steven K. Berry

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⁴ See Testimony of Chairman Wheeler, Oversight of the Federal Communications Commission, House of Representatives, Subcommittee on Communications and Technology, Committee on Energy and Commerce, November 17, 2015, p. 69, *available at*: <http://docs.house.gov/meetings/IF/IF16/20151117/104195/HHRG-114-IF16-Transcript-20151117.pdf>

⁵ Remarks of FCC Chairman Tom Wheeler INCOMPAS Policy Summit, April 11, 2016, Gaylord National Hotel & Convention Center, National Harbor, Md.