

RURAL TELECOMMUNICATIONS GROUP

the voice of rural wireless telecommunications providers

1000 Vermont Avenue, NW, 10th Floor
Washington, DC 20005

MEMORANDUM

To: Magalie Roman Salas, Secretary
Federal Communications Commission

From: Caressa D. Bennet, Regulatory Counsel

Date: December 6, 1999

Re: Oral *Ex Parte* Presentation - December 3, 1999

**In the Matter of Extending Wireless Telecommunications Services
To Tribal Lands; CC Docket No. 99-266**

**In the Matter of Service Rules for the 746-764 and 776-794 MHz Bands, and
Revisions to Part 27 of the Commission's Rules; WT Docket No. 99-168**

**In the Matter of Amendments to Parts 1, 2 and 101 of the Commission's Rules
To License Fixed Services at 24 GHz; WT Docket No. 99-237**

**In the Matter of Auction of Licenses for Fixed Point-to-Point Microwave
Services in the 38.6 to 40.0 GHz (39 GHz) Band; DA 99-2624**

On December 3, 1999, Gregory W. Whiteaker, Edward D. Kania and Donald L. Herman of Bennet & Bennet, PLLC, representing the Rural Telecommunications Group ("RTG"), participated in a telephone conference call with Steven Weingarten and Loius Sigalos, of the Federal Communications Commission's ("FCC" or "Commission") Wireless Telecommunications Bureau concerning issues relating to the above proceedings. Also participating on the call were RTG members Colorado Valley Telephone Cooperative, represented by Mark Rutherford, Assistant General Manager, Valley Telephone Company, represented by Charles Gowder, General Manager and Central Texas Communications, Inc., represented by Jamey Wigley, Assistant General Manager.

Tribal Lands Proceeding: CC Docket No. 99-266

RTG's representatives reiterated RTG's position set forth in RTG's comments in this proceeding. RTG urged the Commission to develop a specific definition of "unserved areas" before issuing any material rules regarding the encouragement of the deployment of telecommunications services to tribal and unserved areas. RTG also urged the Commission to recognize that while tribal lands and rural "unserved areas" may share many common characteristics, each of these geographic

areas may also have unique characteristics which would necessitate differing regulation in each area.

Timing of Spectrum Auctions: WT Docket No. 99-168; WT Docket No. 99-237; and DA 99-2624

RTG's representatives urged the Commission to schedule sufficient time between the 39 GHz, 24 GHz, and UHF spectrum (746-764 and 776-794 MHz bands) auctions to allow small and rural carriers to participate in all three auctions. Participation in a spectrum auction requires a significant expenditure of personnel time and resources. Small and rural carriers generally lack the ability to commit sufficient personnel to allow them to prepare and participate in multiple simultaneous auctions. In addition, given the limited financial resources of many smaller and rural carriers, many of RTG's members would not be able to raise sufficient financial capital to participate in multiple spectrum auctions if these auctions were held simultaneously. Accordingly, RTG requested that the Commission schedule the auctions with sufficient time in-between each auction to allow small and rural companies to participate in each of the above-mentioned auctions.

This memorandum is being submitted electronically pursuant to Sections 1.49(f) and 1.1206(b)(2) of the Commission's rules.