



May 25, 2005

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

Re: *ExParte* Notice

In the Matter of Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands/Service Rules for Advanced Wireless Services in the 1.7 GHz and 2.1 GHz Bands, WT Docket No. 02-353

Dear Ms. Dortch:

The National Telecommunications Cooperative Association (“NTCA”) submits this ex parte letter to support a proposal submitted by T-Mobile USA, Inc. and Rural Telecommunications Group, Inc. (together “proponents”) to revise the band plan for Advanced Wireless Services (“AWS”) in the 1710-1755 and 2110-2155 MHz bands. NTCA agrees with proponents that reconfiguring the current 30 MHz E Block AWS license block to create a sixth AWS license block will better promote competition in all areas of the country, including rural and underserved areas.

The proponents recommend that the Commission divide the 30 MHz AWS E Block licenses into three constituent parts and incorporate those parts in the following modified AWS band plan: One 10 MHz block of spectrum (1750-1755 paired with 2150-2155 MHz) would continue to be licensed within the 12 REAGs (new Block F); the second 10 MHz spectrum block (1745-1750 paired with 2145-2150 MHz) would be licensed within the 176 EAs, rather than on a REAG bases (new Block E); and the third 10 MHz spectrum block (1740-1745 paired with 2140-2145 MHz) would be combined with the 10 MHz (1735-1740 paired with 2135-2140 MHz) currently assigned to the existing D Block for a total of 20 MHz of paired spectrum within the 734 RSAs/MSAs. The existing AWS A, B and C license blocks established in the Commission’s *Report and Order*¹ would remain unchanged. The result would be six license blocks, with three based on REAGs, two based on EAS, and one based on MSAs/RSAs.

¹ *Service Rules for Advanced Wireless Services in the 1.7 GHz and 2.1 GHz Bands*, Report and Order, 18 FCC Rcd 25162 (2003), *recons. Pending (Report and Order)*.

Ms. Marlene H. Dortch, Secretary
May 25, 2005
Page Two

NTCA agrees with proponents that this band plan would result in more efficient use of the spectrum. NTCA is an industry association that represents rural telecommunications providers.² About half of our members currently provide some form of wireless service or hold at least one wireless license. When asked, 28% of NTCA member survey respondents cited their inability to obtain spectrum at auction as their biggest wireless concern.³ Auction rules that create large geographic licensing territories make it nearly impossible for rural carriers to gain access to affordable licenses. The large licenses are not only expensive, but small carriers are forced to compete against large carriers and their large resources for the same license even though the two carriers may not be interested in serving the same territory. Conversely, small license territories lead to more rural carrier participation in auctions. The licenses are less expensive and more closely approximate the areas small carriers are interested in serving.

Licensing some of the AWS spectrum according to the smaller RSA/MSA geographic areas ensures licensees are not forced to acquire more spectrum than they need and will encourage more small and rural carrier participation in the auction. NTCA urges the Commission to seriously consider and adopt the modified band plan as proposed by T-Mobile USA, Inc. and the Rural Telecommunications Group.

Sincerely,

/s/ Jill Canfield
Jill Canfield
Sr. Regulatory Counsel
Legal and Industry

² Established in 1954 by eight rural telephone companies, today NTCA represents more than 560 rural rate-of-return regulated telecommunications providers.

³ See NTCA's 2004 Wireless Survey, available at www.ntca.org.