

March 29, 2006

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Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street SW, Room TWA325  
Washington, DC 20554

Re: Notice of Ex Parte Presentation in WT Dockets 05-265 and 00-193;  
Reexamining Roaming Obligations of Commercial Mobile Radio  
Services Providers

Dear Ms. Dortch:

This will inform you that on March 27, 2006, James Jenkins, Vice President Legal and External Affairs of United States Cellular Corporation ("USCC"), and Peter Connolly, counsel to USCC, met with Barry Ohlson, Senior Legal Advisor to Commissioner Jonathan Adelstein, to discuss issues in the above-referenced proceeding. Mr. Jenkins and Mr. Connolly discussed highlights of the comments and reply comments filed by USCC in the proceeding and left behind the attached summary document.

In our presentation, and in answers to questions, we reiterated USCC's position that the FCC should adopt an enforceable policy statement requiring wireless carriers to provide "automatic" voice and data roaming to the customers of other carriers pursuant to inter-carrier agreements on reasonable terms and conditions.

Sincerely,



Peter M. Connolly

Enclosure

cc: Barry Ohlson  
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## **United States Cellular Corporation and Automatic Roaming**

- USCC is a regional wireless carrier, with strong presence in Illinois, Iowa, Missouri, Wisconsin, Kansas, Nebraska, upper New England, Oklahoma, the Mid-Atlantic States, Tennessee, North Carolina, Washington, Oregon and northern California. It serves 5.2 million customers.
- Roaming is crucial to the future of USCC and other small and regional carriers. Without the ability to roam on the systems of the national carriers, carriers like USCC cannot survive. It is that simple.
- USCC, a CDMA carrier, has been treated fairly by the larger carriers in the roaming context, but is concerned about the future. Accordingly, while we believe that a new prescriptive rule is not yet necessary, the FCC should adopt a flexible, yet enforceable, policy statement requiring that carriers permit the customers of other carriers to "roam" on their systems on reasonable terms and conditions. A right to "inbound" voice and data roaming is essential.
- The FCC should also study the roaming marketplace closely and take additional actions, if warranted, over the next few years.
- There are obvious dangers to competition in the growing consolidation of the wireless industry (Sprint-Nextel, ALLTEL-Western Wireless) and in the broader telecom sector (SBC-ATT, Verizon-MCI, SBC/ATT-BellSouth).
- Preserving roaming rights for small carriers will be an important safeguard for competition and the protection of consumers.
- A policy statement can make clear that the FCC would consider a refusal by a national carrier to enter a roaming agreement with a small or regional carrier to be a violation of Sections 201 and 202 of the Communications Act and would subject the refusing carrier to enforcement action.
- USCC does not ask the FCC to set "default" rates in advance or otherwise prescribe detailed roaming rules. We ask that the Commission make its expectations clear with respect to roaming. We do not ask for absolute uniformity in rates (through too great a disparity in roaming rates could be evidence of discrimination) or that carriers be required to undertake extensive modifications to their systems to accommodate roaming. We ask for good faith and fairness.
- The FCC should require reasonable accommodation by national carriers to the technologies of smaller carriers in the roaming context. We also ask that data roaming be included in the FCC's policy statement, as data will become as important as voice in the years ahead.

- FCC involvement in roaming policy enforcement would not have to be extensive unless there was egregious carrier misconduct in the form of either refusals to deal with smaller carriers or offers of obviously unfair and unreasonable terms and conditions.
- As is shown in Sprint-Nextel comments, the main obstacles to a fair roaming policy are competitive, not technical.
- In essence, what we are asking for is that the present roaming policies endorsed by carriers such as Verizon Wireless be made enforceable FCC policy.
- Adoption of such a policy does not require extensive "fact-finding" by the Commission or findings of past violations of Commission rules. The requested policy statement would create a flexible, yet meaningful standard which all carriers must meet in the future.

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