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February 9, 2007

VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW, TW-A325
Washington, DC 20554

Re: Ex Parte Presentation
WT Dkt No. 06-150 and WT Dkt Nos. 05-265 and 00-193

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's ex parte rules, 47 C.F.R. §1.1206, this letter is to notify you that on February 8, 2007 representatives of United States Cellular Corporation ("USCC"), James R. Jenkins, Vice President -- Legal and External Affairs, United States Cellular Corporation, Peter M. Connolly (Holland & Knight) and the undersigned, met with John Branscome, Legal Advisor to Commissioner Michael J. Copps, and Suzanne Goldhar, an intern in that office, to discuss issues arising in the above-referenced proceeding. USCC supported positions presented in its comments and reply comments filed in the above referenced dockets. A copy of its written presentation is attached.

In the event there are questions regarding this matter, please contact the undersigned.

Sincerely,

George Y. Wheeler

cc via e-mail:

John.Branscome@FCC.gov

# 3563334_v4

U.S. Cellular

# Ex Parte Discussion
# Upper and Lower 700 MHz Band Plan (WT Dkt No 06-150)
# Automatic Roaming (WT Dkt Nos. 05-265 and 00-193)

February 8, 2007

# Getting to Know U.S. Cellular ...<Update>

U.S. Cellular

- **U.S. Cellular, a publicly traded company, is 82% owned by Telephone and Data Systems**
- **U.S. Cellular Fast Facts**
  - Based in Chicago, Illinois
  - Providing cellular service since 1985
  - Serving over 5.7 million customers in 26 states
  - Employing nearly 8,100 associates and supporting hundreds of exclusive and non-exclusive agents
  - Operating four domestic call centers
  - Service Revenues of nearly $3 billion in 2006

U.S. Cellular

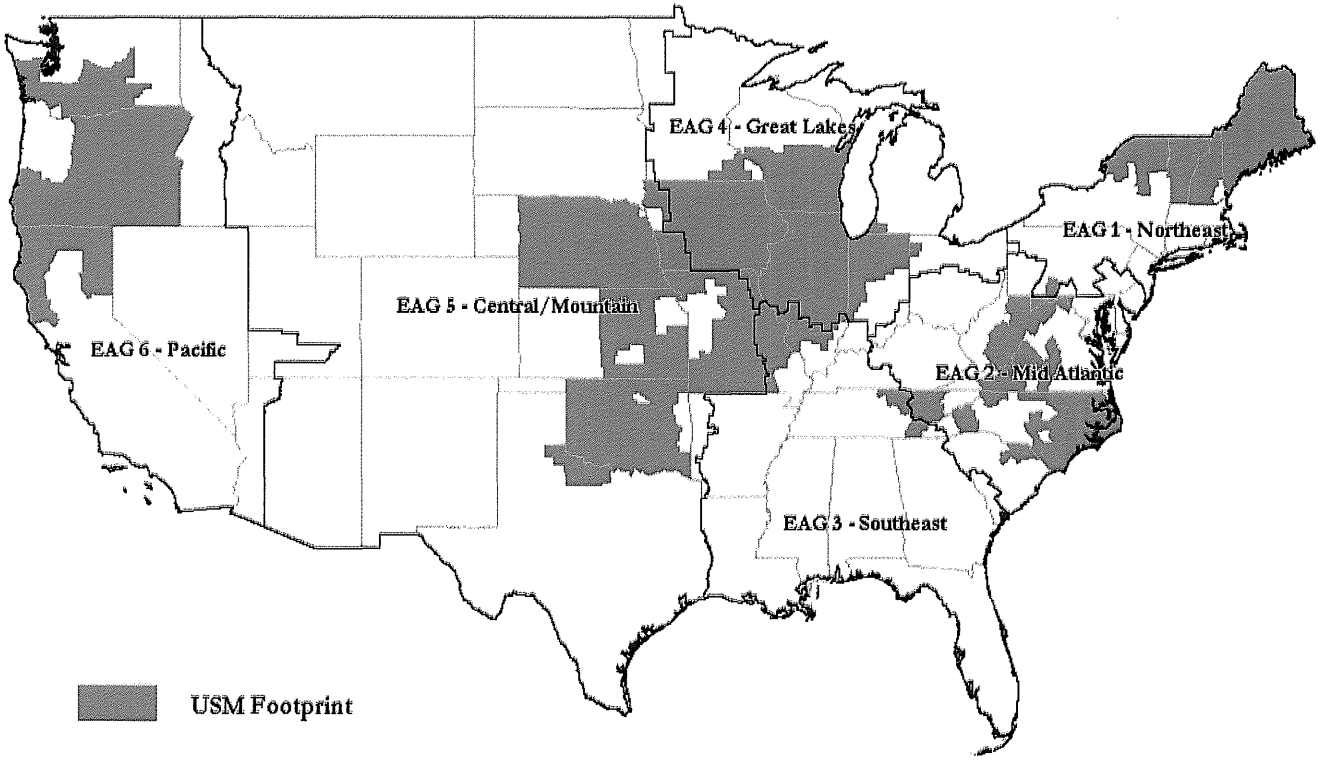
## •Setting U.S. Cellular Apart

- Regional provider serving both metro areas and some of the most rural corners of the country
  - Focus on providing the very best in customer satisfaction
  - Industry leading 1.5% all-in churn rate and fewest number of FCC complaints of all carriers (Consumers Union) in 2005
  - Winning new markets and growing existing markets
    - Chicago (2002)
    - Oklahoma City, OK (2004)
    - Lincoln, NE (2004)
    - Portland, ME (2004)
    - St. Louis, MO (2005)

# EAGs and U.S. Cellular Licensed Markets

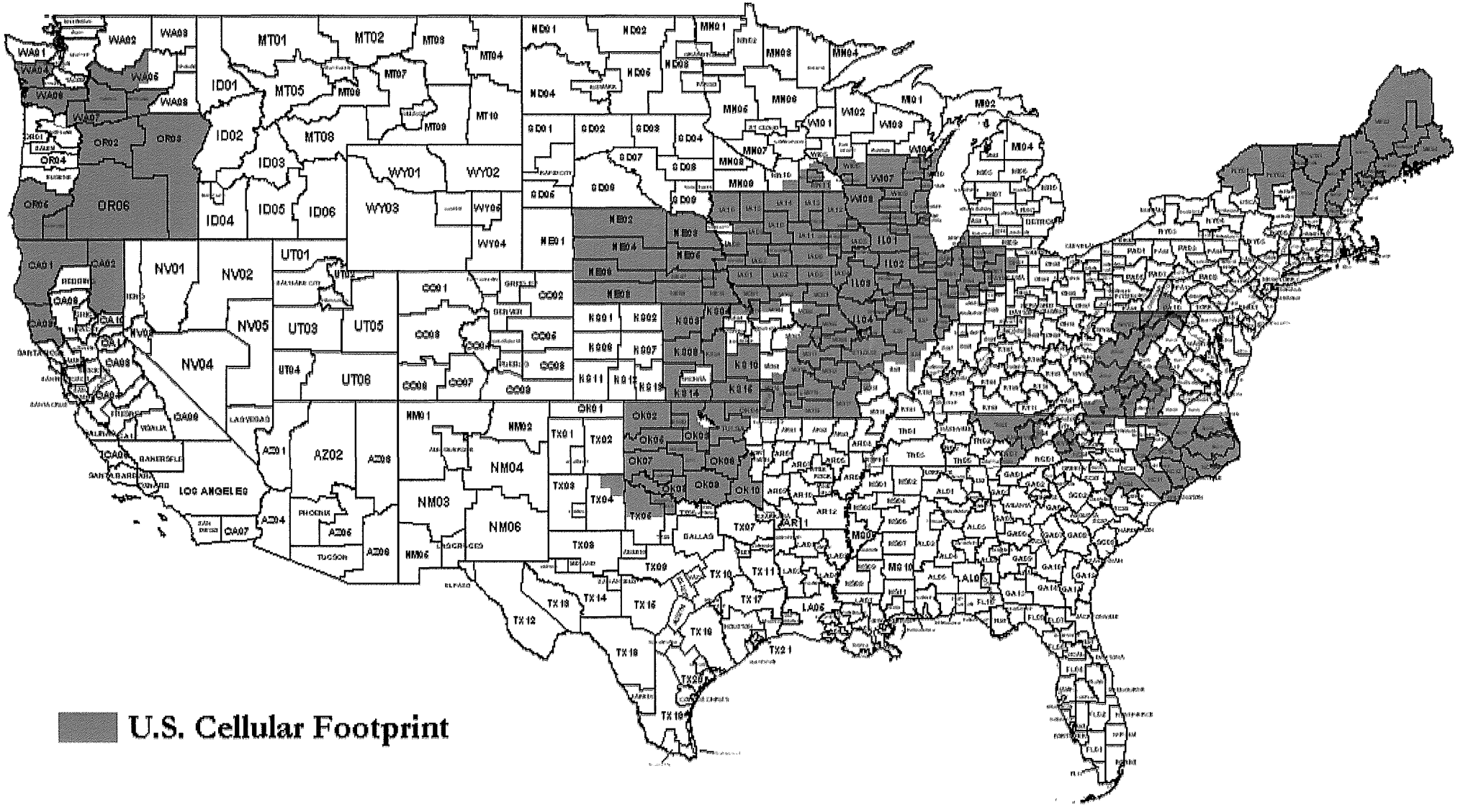
U.S. Cellular

## U.S. Cellular with EAGs



# CMA Boundaries

U.S. Cellular
*We connect with you.*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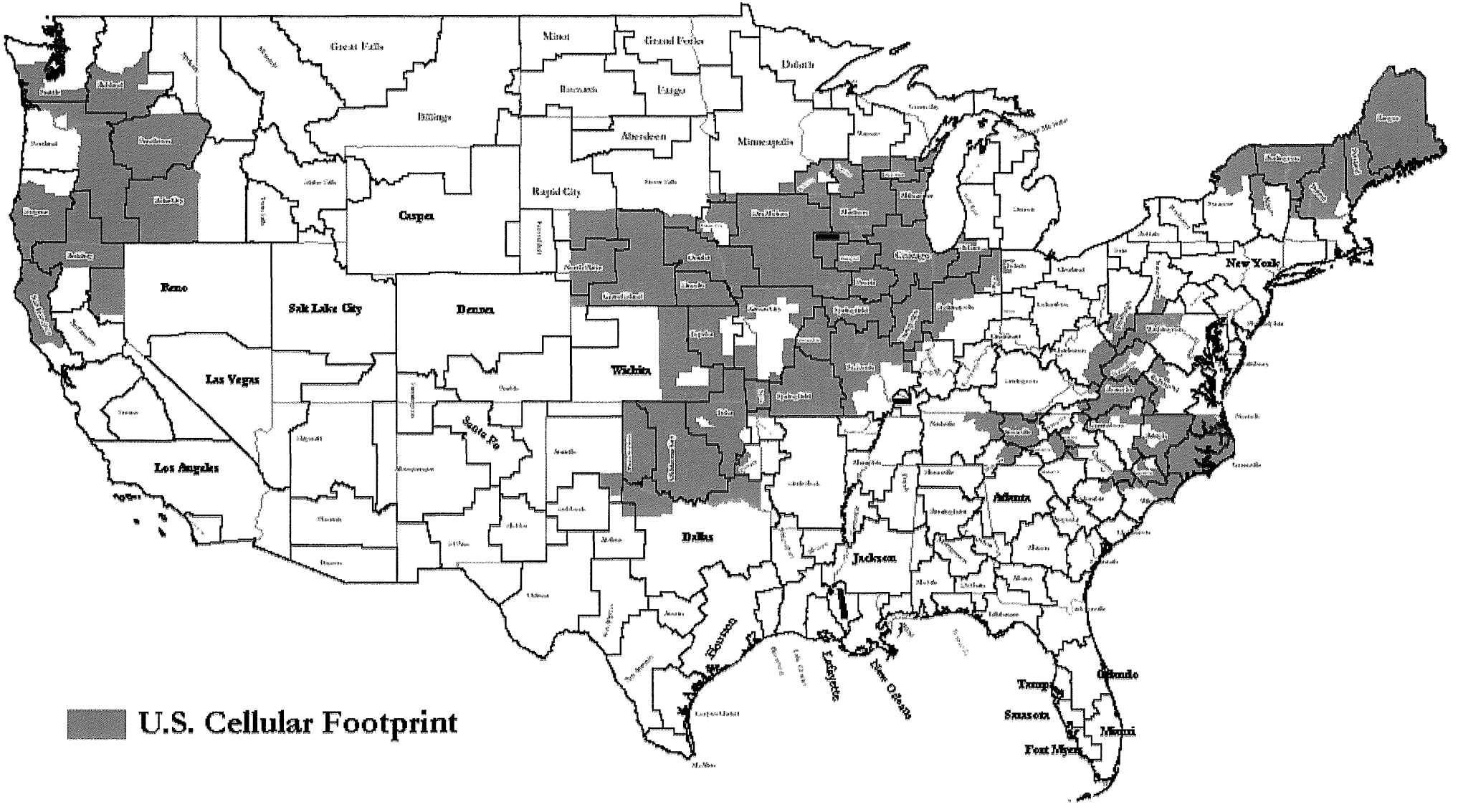
# EA Boundaries

U.S. Cellular
*We connect with you.*



# Policy Principles for 700 MHz Services

U.S. Cellular

## U.S. Cellular supports balanced, accessible, and flexible band plans for future spectrum auctions --- 700 MHz

- Spectrum licensed in small geographic sizes. For the 700 MHz auction, the Commission should adopt a balanced mix of CMA, EA and REAG service area sizes.
- Blocks should be located within the band plan to allow carriers with a variety of business plans to aggregate spectrum from adjacent blocks.
- The Commission should use proven simultaneous, multi-round auctions without package bidding.

## U.S. Cellular endorses the Balanced Consensus Plan which is supported by a broad cross-section of small, mid-sized, regional and rural carrier interests, as well as the interests of several states proposes a selection of CMA, EA and REAG Service Area Sizes as an Appropriate Compromise Meeting the Needs of Regional/Rural/Local Carriers .– Attached for reference is a copy of that proposed band plan.

# 700 MHz Band Plan Proposals

U.S. Cellular

## BALANCED CONSENSUS 700 MHz BAND PLAN

### Upper 700 MHz Band

| 747–762 | | | | | 762–777 | | | | | 777–792 | | | | | 792–806 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| A | C | D | E | B | Public Safety | | A | C | D | E | B | Public Safety | | | | |
| CH. 60 | | CH. 61 | | CH. 62 | CH. 63 | CH. 64 | CH. 65 | | CH. 66 | | CH. 67 | | CH. 68 | CH. 69 | | |

746 752 758 764 770 776 782 788 794 800 806

| Licenses | Block | Frequencies | Bandwidth | Pairing | | Area Type |
|---|---|---|---|---|---|---|
| | A | 746-747, 776-777 | 2 MHz | 2 x 1 MHz | MEA | 52* |
| | B | 762-764, 792-794 | 4 MHz | 2 x 2 MHz | MEA | 52* |
| | C | 747-752, 777-782 | 10 MHz | 2 x 5 MHz | CMA | 734 |
| | D | 752-757, 782-787 | 10 MHz | 2 x 5 MHz | EA | 176 |
| | E | 757-762, 787-792 | 10 MHz | 2 x 5 MHz | EA | 176 |

### Lower 700 MHz Band

698 704 710 716 722 728 734 740

| A | B | C | D | E | A | B | C |
|---|---|---|---|---|---|---|---|
| CH. 52 | CH. 53 | CH. 54 | CH. 55 | CH. 56 | CH. 57 | CH. 58 | CH. 59 |

| Licenses | Block | Frequencies | Bandwidth | Pairing | | Area Type |
|---|---|---|---|---|---|---|
| | A | 698-704, 728-734 | 12 MHz | 2 x 6 MHz | REAG | 12 |
| | B | 704-710, 734-740 | 12 MHz | 2 x 6 MHz | CMA | 734 |
| | C | 710-716, 740-746 | 12 MHz | 2 x 6 MHz | MSA/RSA | 734* |
| | D | 716-722 | 6 MHz | unpaired | 700 MHz EAG | |
| | 6* | | | | | |
| | E | 722-728 | 6 MHz | unpaired | REAG | 12 |

*Blocks have been auctioned.

+Please note that this Consensus Plan is submitted without prejudice to the signatories' ability to support or oppose the Cyren Call proposal that would remove the Upper 700 MHz Band from the auction.

## Achieving Fair Licensing Opportunities for 700 MHz

U.S. Cellular

- Band plans for the upper and lower 700 MHz bands which were originally adopted in 2000 and 2001 --- should be changed to provide the balanced and fair licensing opportunities which made the AWS-1 auction so successful.
- The Commission should not use controversial, complex, untested and unfamiliar package bidding procedures in the auction of 700 MHz spectrum.
- The Commission was correct in dismissing the Cyren Call proposals which would have severely restricted the 700 MHz spectrum available to be acquired at auction by regional, rural and other smaller bidders.
- The Commission should not change its existing performance, negotiation, renewal expectancy and renewal processing procedures for licensees under Parts 22, 24 and 27 of the FCC's rules.

## Automatic Roaming Issues

U.S. Cellular

- Roaming is crucial to the future of USCC and other small and regional carriers;
- The FCC should adopt an enforceable policy statement requiring carriers to permit other systems' customers to roam on their systems on reasonable terms and conditions;
- A refusal to enter into such an agreement would violate Sections 201 and 202 of the Communications Act;
- We also ask that data roaming be included in the policy statement;
- FCC involvement would not have to be extensive unless there was egregious carrier misconduct;
- The main obstacles to a fair roaming policy are competitive, not technical.