

July 16, 2007

The Honorable Kevin J. Martin, Chairman
The Honorable Michael J. Copps
The Honorable Jonathan S. Adelstein
The Honorable Deborah Taylor Tate
The Honorable Robert M. McDowell
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: WT Docket Nos. 06-150, 06-169 and 96-86; PS Docket No. 06-229

Dear Mr. Chairman and Commissioners:

We have learned through recent media accounts that the Commission's proposed service rules seek to impose an "open access" requirement on 22 MHz of the Upper 700 MHz band spectrum. On behalf of the approximately 139 undersigned small and regional operators and organizations, we write to urge you to reject an "open access" mandate in this spectrum. The FCC should refrain from imposing novel and untested open access conditions, which favor a single entity, on the 700 MHz spectrum critically needed by small and regional carriers to increase coverage and services.

The proposed open access mandate in the 700 MHz band would significantly hinder small carrier participation in the 700 MHz auction and in many cases foreclose their ability to deploy this spectrum in small and rural markets. The open access and public safety requirements on the licenses in the Upper 700 MHz band will force large carriers, deterred by open access requirements, to pursue licenses in the Lower 700 MHz band. As a result, both large and small carriers will be bidding on the same 24 MHz of spectrum in the lower 700 MHz band. This is particularly troubling because the spectrum in the Lower 700 MHz band uses smaller license areas intended to benefit small and regional carriers. Although many smaller licenses may initially cost more, large carriers will likely choose to bid on the many smaller licenses rather than accept larger, encumbered licenses. The end result would be fewer small and regional license winners in the 700 MHz auction.

Ultimately, we believe that the undersigned small carriers and the millions of consumers we serve will be the net losers from an open access requirement in the Upper 700 MHz band. The proposed open access requirements trade the benefits of rural deployment by small and regional licensees, and their proven track record of providing service to their customers, for – at best – speculative gains of an open access network.

In sum, we fear that encumbering the Upper 700 MHz licenses with onerous conditions will result in small and regional carriers having little chance of securing licenses to deliver innovative 700 MHz wireless services to their subscribers.

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being electronically filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

Companies:

Alaska Communications Systems, Inc.
Blooston Rural Carriers
All West Communications, Inc.
BEK Communications Cooperative
Big Bend Telephone Company
Cannon Valley Communications, Inc.
CC Communications
Chibardun Telephone Cooperative, Inc.
Clear Lake Independent Telephone Company
Command Connect, LLC
Communications 1 Network
Eastern Colorado Wireless, LLC
FMTC Wireless, Inc.
Hancock Rural Telephone Corp. d/b/a Hancock Telecom
Harrisonville Telephone Company
Haviland Telephone Company, Inc.
Heart of Iowa Communications
Interstate Telecommunications Cooperative
Kennebec Telephone Company, Inc.
Ligtel Communications, Inc.
Manti Telephone Company
Mid-Rivers Telephone Cooperative, Inc.
Midstate Communications, Inc.
Nucla-Naturita Telephone Company
Ponderosa Telephone Company
Red River Rural Telephone Association, Inc.
Santel Communications Cooperative
Smithville Telephone Company
South Slope Cooperative Communications Co.
Venture Communications Cooperative
Webster Calhoun Cooperative Telephone Association
Yadkin Valley Telephone Membership Corp.
Cincinnati Bell Wireless
CTIA – The Wireless Association®

Corporate Headquarters:

Anchorage, AK
Kamas, UT
Steele, ND
Alpine, TX
Bricelyn, MT
Fallon, NV
Dallas, WI
Clear Lake, IA
Sulphur, LA
Kanawha, IA
Wiggins, CO
Nora Springs, IA
Maxwell, IN
Waterloo, IA
Haviland, IN
Union, IA
Clear Lake, SD
Kennebec, SD
Ligonier, IN
Manti, UT
Glendive, MT
Kimball, SD
Nucla, CO
O'Neals, CA
Abercrombie, ND
Woonsocket, SD
Ellettsville, IN
North Liberty, IA
Highmore, SD
Gowrie, IA
Yadkinville, NC
Cincinnati, OH
Washington, DC

East Kentucky Network, LLC d/b/a Appalachian Wireless
General Communication, Inc.
Mohave Wireless
NTELOS, Inc.
Rural Cellular Association, on behalf of its approximately 100
small and regional wireless carrier members, available at
http://americanroamer.com/rca/rca_members.html
U.S. Cellular Corporation
Westlink Communications, Inc.

Prestonburg, KY
Anchorage, AK
Kingman, AZ
Waynesboro, VA

Chicago, IL
Ulysses, KS