

July 26, 2007



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

Re: Notice of Oral *Ex Parte* Presentation in WT Docket No.  
06-150

Dear Ms. Dortch:

On July 25, 2007, Harold Feld of Media Access Project spoke with Renée Crittendon, Legal Advisor for Spectrum and International Issues to Commissioner Adelstein with regard to the above-captioned proceeding. Ms. Crittendon telephoned to ask if the recent filings by Google and Skype sufficiently addressed concerns about the adequacy of the Chairman's proposed device open access rule which have been raised by PISC, the coalition to which MAP belongs.

Mr. Feld stated that PISC's chief concern remained unresolved under the language proposed by Google and Skype. Their language leaves it uncertain as to whether a network operator would be required to carry internet traffic generated by an application (or directed to a device in response to a request by an application) over the 700 MHz network. For example, the C Block licensee could permit downloading of a VOIP program like Skype, and avoid interfering with its operation in a wifi access point. But, under the proposed language, the C Block licensee could still refuse to carry VOIP traffic on broadband provided through the C Block spectrum on the grounds that this was not a "CMRS type service" and that the terms of service precluded use of VOIP.

Mr. Feld stated that the best way to resolve these issues is to adopt a wholesale obligation rather than to create a device attachment rule. Accordingly, the proposed US Cellular plan to create an 11 MHz block with full wholesale open access would, in the opinion of PISC, be superior to creating a limited device attachment rule on the 22 MHz C Block.

In accordance with Section 1.1206(b) of the Commission's Rules, 47 CFR §1.1206, this letter is being filed with your office.

Respectfully submitted,

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Harold Feld  
Senior Vice President

cc: Renee Crittendon  
Bruce Gottlieb  
Aaron Goldberger  
Angela Giancarlo  
Fred Campbell  
Erika Olsen