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August 8, 2007

Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, D.C. 20554

RE: *Ex Parte* Presentation by Southern Communications Services, Inc.
FCC Docket No. 96-45, FCC 97-419, DA 05-269, DA 05-143

Dear Ms. Dortch:

Yesterday, Holly Henderson and I, on behalf of Southern Communications Services, Inc. d/b/a SouthernLINC Wireless ("SouthernLINC") met with Chairman Kevin Martin, Dan Gonzalez, Chief of Staff to Chairman Martin, and Thomas Navin, Bureau Chief of the Wireline Competition Bureau, to discuss the status of the above-referenced petitions for designation as an Eligible Telecommunications Carrier ("ETC") and pending USF reform proposals.

During the meeting, SouthernLINC respectfully urged the Commission to grant its ETC petitions as quickly as possible. SouthernLINC distributed the attached presentation and documents at the meeting.

As required by Section 1.1206(b), this *ex parte* notification is being filed electronically for inclusion in the public record of the above-referenced proceeding, and a copy is being submitted to the attendees of the meetings. Please contact me at (202) 342-8602, if you have any questions regarding this filing.

Marlene H. Dortch
Secretary
August 8, 2007
Page 2

Respectfully submitted,

Todd D. Daubert
Counsel for SouthernLINC Wireless

Attachments

cc: Kevin Martin, Dan Gonzalez, Thomas Navin (via e-mail)



SouthernLINC[®]

A Southern Company

Petitions for ETC Designation
in
Alabama, Florida and Georgia

Docket Number WC 96-45
August 2007

SouthernLINC Seeks ETC Designation in

Alabama, Florida and Georgia

- On September 14, 2004, SouthernLINC filed petitions requesting ETC designation in rural and non-rural areas in Alabama, Florida and Georgia.
- SouthernLINC subsequently narrowed the geographic scope of the requested designations in order to eliminate any concern about the potential for creamskimming.



A Southern Company

SouthernLINC Serves a Unique and Important Role in its Coverage Area

In recognition of the unique and important role that SouthernLINC -- a regional wireless carrier -- serves in Alabama, Florida and Georgia, the following Congressmen recently urged the Commission to designate it as an ETC:

- Jo Bonner (R - AL)
- Nathan Deal (R - GA)
- Charlie Norwood (R - GA)
- Mike Rogers (R - AL)
- David Scott (D - GA)

For the same reason, Senator Saxby Chambliss (R-GA) recently urged the Commission to designate SouthernLINC as an ETC in Alabama, Florida and Georgia.



A Southern Company

SouthernLINC Provides Critical Communications Capabilities During Emergency Situations

15 named hurricanes have struck its service territory since SouthernLINC began operating in 1995.

SouthernLINC often was the only available means of communications during these emergencies.

- In the aftermath of Hurricane Katrina, SouthernLINC in many instances provided the only immediate means of communicating in Mississippi and Alabama.



A Southern Company

SouthernLINC Provides Vital Communications Capabilities to Emergency, Government and Utility Personnel

SouthernLINC is the wireless service provider to the state of Alabama and to many government agencies in Georgia.

SouthernLINC provides critical wireless service throughout its service territory to:

- first responders and emergency personnel; and
- utility personnel, which facilitates the continued availability of power during emergencies.

In light of the critical need for communications in rural areas, the Southern Governor's Association recently urged the FCC to expedite the processing of ETC applications like SouthernLINC's that propose to expand and enhance wireless networks in rural areas to meet public safety needs.



A Southern Company

SouthernLINC Has Always Been Strongly Committed to Serving Rural America and Underserved Consumers

SouthernLINC has long had a strong commitment to rural America and underserved communities and consumers.

In many rural and underserved communities,
SouthernLINC is the only wireless service provider.



A Southern Company

Designation of SouthernLINC as an ETC

Would Not Interfere with USF Reform

Designation of SouthernLINC as an ETC should not be further delayed pending USF reform, because all ETCs will be subject to the new rules.

The FCC should provide full funding in each area until the area is served by the ILEC and three competitive ETCs, at which point funding should be phased out.

- By phasing out support when explicit triggers have been met, the FCC can ensure that funding is available only where needed and that overall fund size is predictable and controllable.
- The phasing out of support would further eliminate incentives to delay the designation of new ETCs.



A Southern Company

Summary

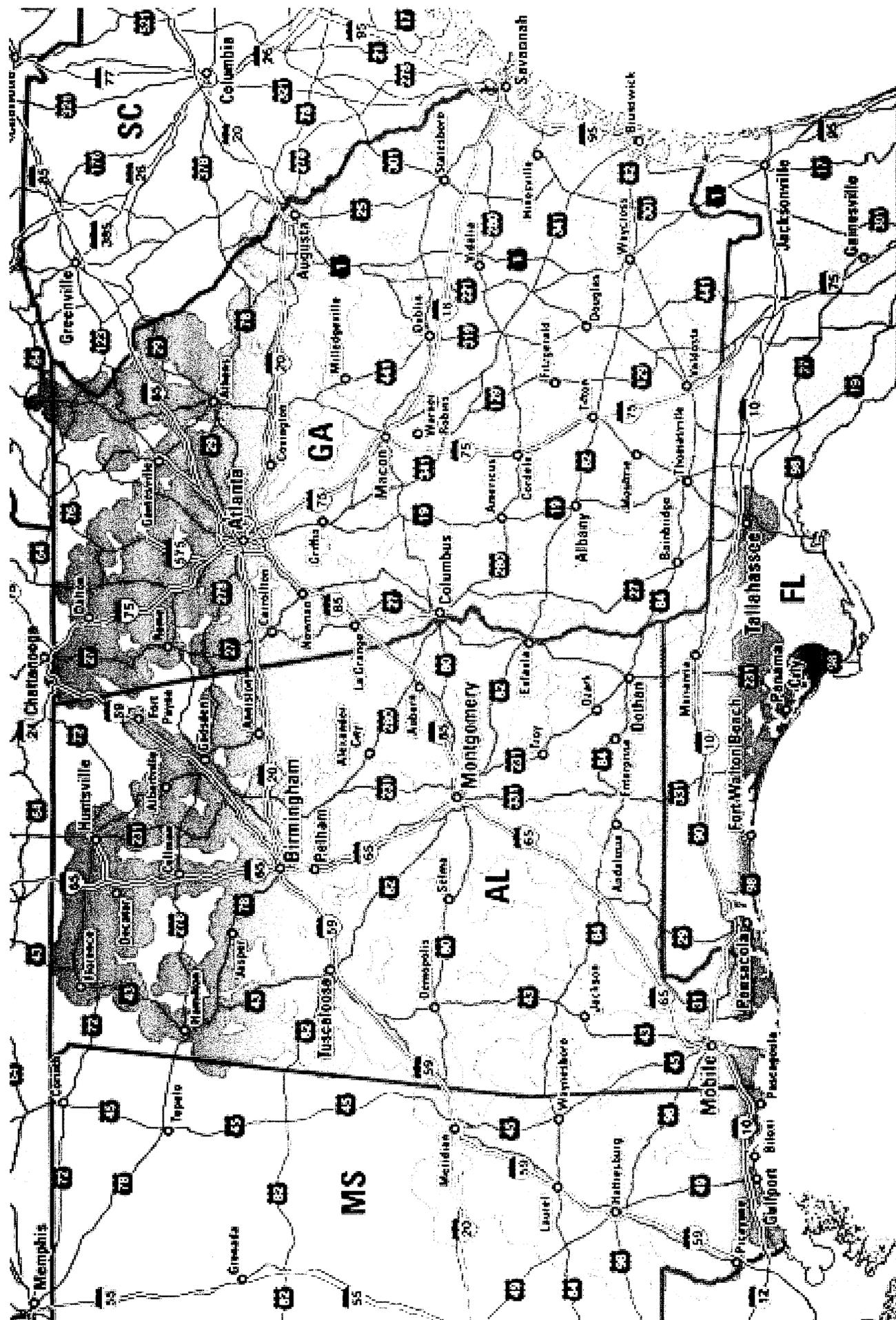
SouthernLINC respectfully urges the Commission to grant its ETC Petitions as quickly as possible.

SouthernLINC has satisfied the eligibility requirements of the Act and the ETC Designation Order.

Designation of SouthernLINC as an ETC is in the public interest.



A Southern Company



TOM HARKIN, IOWA
CHAIRMAN

PATRICK J. LEAHY, VERMONT
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United States Senate

COMMITTEE ON
AGRICULTURE, NUTRITION, AND FORESTRY

WASHINGTON, DC 20510-6000

202-224-2035

TTY/TDD 202-224-2587

January 18, 2007

SAXBY CHAMBLISS, GEORGIA
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THAD COCHRAN, MISSISSIPPI
MITCH MCCONNELL, KENTUCKY
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NORM COLEMAN, MINNESOTA
MIKE CRAPO, IDAHO
JOHN THUNE, SOUTH DAKOTA
CHARLES E. GRASSLEY, IOWA

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445-12th Street, SW
Washington, DC 20554

Dear Ms. Dortch:

Consumers in areas that are expensive to serve, including consumers in rural areas, deserve the same access to affordable telecommunications services that is available to all other consumers. These consumers, like all citizens, rely on the utility and convenience of mobile telecommunications services for voice communications, email and internet access, and emergency services. Increasingly, consumers expect their wireless phones to work everywhere, including in geographic areas where it is prohibitively expensive to provide service. In recognition of this fact, Congress and the Federal Communications Commission (FCC) have established a competitive universal service system that allows eligible telecommunications carriers (ETCs) to receive support for providing service in rural areas.

SouthernLINC Wireless filed petitions with the FCC seeking ETC status in the states of Alabama, Florida and Georgia on September 14, 2004. Subsequently, SouthernLINC Wireless amended its petitions to seek ETC status only in those areas where it provides coverage across the entire area. Delayed action on these petitions is preventing the consumers of Alabama, Florida and Georgia from receiving the full benefits that the universal service system is designed to provide.

Therefore, I urge the FCC to promptly complete the review of SouthernLINC Wireless' Petitions. SouthernLINC Wireless has a strong commitment to rural America, but it will not be able to implement its universal service plans to the benefit of rural communities and consumers without designation as an ETC. Additionally, SouthernLINC Wireless serves a crucial role during disasters, and the company has made providing reliable communications during a disaster a high priority.

In order to continue providing high quality wireless services to underserved rural areas and ensuring that communications will be available throughout the recovery period after disasters, SouthernLINC Wireless must continue to make significant investments in its network. Prompt action on the applications of SouthernLINC Wireless for designation as an ETC in Alabama, Florida and Georgia would further the Commission's goals by facilitating the

necessary investments. Therefore, I urge the Commission to expedite consideration of the ETC applications of SouthernLINC Wireless, which have been pending for two years.

I look forward to your prompt response.

Very Truly Yours,

A handwritten signature in black ink, reading "Saxby Chambliss". The signature is written in a cursive style with a large, prominent "S" at the beginning.

SAXBY CHAMBLISS
Ranking Republican Member

cc: The Honorable Kevin Martin, Chairman
Thomas Navin, Deputy Chief of the Policy Division

SC/ds

Congress of the United States
Washington, DC 20515

October 31, 2006

Hon. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: SouthernLINC Communication Services, Inc. d/b/a SouthernLINC Wireless,
ETC Designation Petition, CC Docket No. 96-45, – Alabama, Florida and
Georgia**

Dear Ms. Dortch:

Consumers in areas that are expensive to serve, including rural areas, deserve the same access to affordable telecommunications services available to all other consumers. These consumers, like most, rely on the utility and convenience of mobile telecommunications services for voice communications, email and internet access, and emergency services. Increasingly, consumers expect their wireless phones to work everywhere, including in geographic areas prohibitively expensive to provide service. In recognition of this goal, Congress established a competitive universal service system managed by the FCC that allows eligible telecommunications carriers ("ETCs") to receive support for providing service in rural areas.

To that end, SouthernLINC Wireless filed Petitions with the FCC seeking ETC status in the states of Alabama, Florida and Georgia on September 14, 2004. Subsequently, SouthernLINC Wireless amended its Petitions to seek ETC status only in those areas where it provides coverage across the entire area. These Petitions have been pending for more than two years, and the delay is preventing consumers in these states from receiving the full benefits that the universal service system is designed to provide.

We strongly urge the FCC to immediately take action on the Petitions. In addition, we support the FCC granting SouthernLINC Wireless' ETC status for the following reasons:

- (1) The value of universal service as a national goal will be preserved and enhanced by making funding available for wireless services that consumers increasingly rely on for their telecommunications needs.
- (2) Rural communities and consumers, in particular, will benefit by having access to wireless services throughout the designated service areas.
- (3) SouthernLINC Wireless has a strong commitment to rural America, but it will not be able to implement its universal service plans to the benefit of rural communities and consumers without designation as an ETC.

- (4) SouthernLINC Wireless serves a crucial role during disasters, and the company has made providing reliable communications during a disaster a high priority.

This last point deserves further expansion. Fifteen named hurricanes have made landfall in its service territory since SouthernLINC Wireless began operations, the most recent being Hurricane Katrina, which caused extensive damage along the Mississippi and Alabama Gulf Coasts. In many instances, the SouthernLINC Wireless network provided the only immediate means of communicating along these areas of Mississippi and Alabama. SouthernLINC Wireless also took extraordinary steps to repair damaged facilities quickly and ensure that vital communications were possible. Its efforts included, among other things, deploying microwave facilities and mobile cell sites to replace damaged facilities, and activating approximately 2,500 phones for use by government and public safety entities including the Mississippi EMA, the National Guard, the U.S. Coast Guard and the Singing River Hospital. Similarly, when calls placed to the 228 area code in Mississippi could not be completed due to heavy call volume, SouthernLINC Wireless quickly provisioned public safety personnel with toll free numbers for their SouthernLINC Wireless phones in order to bypass overloaded equipment. Additionally, SouthernLINC Wireless enabled communication for public safety personnel regardless of whether they were SouthernLINC Wireless customers.

In order to continue providing high quality wireless services to underserved rural areas and to ensure emergency communications throughout disaster recovery, SouthernLINC Wireless must continue to make significant investments in its network. Promptly granting the applications of SouthernLINC Wireless for designation as an ETC in Alabama, Florida and Georgia would further the Commission's goals by facilitating the necessary investments. In those applications, SouthernLINC Wireless demonstrated not only its qualifications to be an ETC, but also its commitment to providing service to both rural communities and disaster areas. Therefore, we urge the Commission to expedite approval of the ETC applications of SouthernLINC Wireless, which have been pending for more than two years.

As required by Section 1.1206(b), this letter is being filed electronically for inclusion in the public record of the above-referenced proceeding, and a copy is being e-mailed to Chairman Kevin Martin and Thomas Navin. Please direct any questions regarding this matter to the undersigned.

Thank you for your consideration.

Sincerely,

Charlie Norwood

Dan Rostenkowski

Miley Rogers - AL

Jo Bonner

Nathan Deal

cc: Thomas Navin

SOUTHERN GOVERNORS' ASSOCIATION

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Governor of Mississippi

FIRST VICE CHAIRMAN
Joe Manchin III
Governor of West Virginia

SECOND VICE CHAIRMAN
Timothy M. Kaine
Governor of Virginia

EXECUTIVE DIRECTOR
Diane C. Duff

May 15, 2007

The Honorable Michael Chertoff
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

The Honorable John M.R. Kneuer
Assistant Secretary for Communications and Information
National Telecommunications and Information Administration
Herbert C. Hoover Building
U.S. Department of Commerce/NTIA
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Secretary Chertoff, Chairman Martin and Administrator Kneuer:

On behalf of the Southern Governors' Association (SGA), we are forwarding for your consideration a recently adopted resolution concerning the development of a nationally interoperable public safety communications network.

Southern Governors have spent the last several months exploring the various proposals for developing such a network. Through this process, we have come to recognize that there continues to be significant disagreement about whether the local, state and federal public safety community has access to the necessary tools and resources required construct a nationally interoperable public safety communications network that requirements and characteristics identified as critical to public safety functions. Central to this disagreement is whether there is adequate spectrum available to support public safety's needs and from where the needed financial resources would come.

As the Federal Communications Commission (FCC) moves closer to its statutorily required deadline for beginning the auction to commercial entities of all remaining spectrum that has been made available as a result of the Digital Television Transition, it is particularly concerning that there is still no agreed-upon conclusion between the federal government and the broad public safety community as to how much spectrum is enough.

HALL OF THE STATES 444 NORTH CAPITOL STREET, NW SUITE 200 WASHINGTON, DC 20001
202/624-5897 FAX 202/624-7797 WWW.SOUTHERNGOVERNORS.ORG

*Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina,
Oklahoma, Puerto Rico, South Carolina, Tennessee, Texas, U.S. Virgin Islands, Virginia, West Virginia*

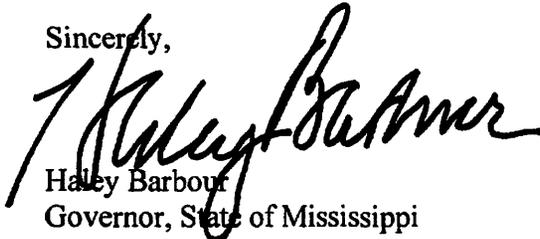
May 15, 2007
Page Two

Therefore, by way of the attached resolution, SGA calls upon the key federal decisionmaking departments and agencies, led by the Department of Homeland Security, to immediately convene a dialog with state, local and tribal governments, Federal departments and agencies, the public safety community and the private sector to answer the question of how much spectrum is enough, and from where that spectrum will come. We believe it is critical that the answer to this question be determined prior to the FCC's initiation of auction proceedings so that any required adjustments can be made. In addition, this dialog should identify any other obstacles to achieving a nationally interoperable public safety communications, such as availability of financial resources, and develop recommendations for how to overcome those obstacles.

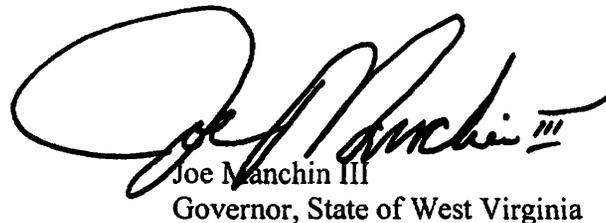
Our effectiveness in responding to large disasters—regardless of whether they are natural or manmade—will continue to be determined largely by our ability to share information quickly under the worst of circumstances. The development of a nationally interoperable public safety communications network that supports both voice and data will only improve our effectiveness in emergency response situations and should be considered a priority. Therefore, we urge you to take the steps necessary to ensure that the necessary resources—including spectrum and funding—will be available to make this network a reality.

We stand ready to work with you to achieve this important goal.

Sincerely,



Haley Barbour
Governor, State of Mississippi



Joe Manchin III
Governor, State of West Virginia

cc: The Honorable Carl Levin, Chairman, Senate Homeland Security and Governmental Affairs Committee
The Honorable Susan M. Collins, Ranking Member, Senate Homeland Security and Governmental Affairs Committee
The Honorable Bennie G. Thompson, Chairman, House Homeland Security Committee
The Honorable Peter King, Ranking Member, House Homeland Security Committee
The Honorable Michael J. Copps, Commissioner, Federal Communications Commission
The Honorable Jonathan S. Adelstein, Commissioner, Federal Communications Commission
The Honorable Deborah Taylor Tate, Commissioner, Federal Communications Commission
The Honorable Robert M. McDowell, Commissioner, Federal Communications Commission

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RESOLUTION

Expressing a broad set of principles endorsed by the Southern Governors' Association regarding the development of a nationally interoperable public safety communications network.

Whereas, the Southern Governors' Association recognizes the public safety community as including local, state, and federal police, fire, and emergency medical services personnel, as well as representatives of other critical infrastructure industries including transportation, health care, and utilities;

Whereas, the safety of all of our citizens during a local, regional, statewide or national emergency depends on the ability of the various segments of the public safety community to be able to communicate effectively with each other;

Whereas, the states have all worked diligently with the tools available to achieve public safety communications interoperability for voice at the local and state level;

Whereas, broadband data capabilities would dramatically improve the ability of the public safety community to respond to emergencies, yet the growing demand for these services further adds to the challenge of achieving interoperability;

Whereas, rural areas are particularly challenged with meeting public safety's communications interoperability needs due to a lack of network infrastructure;

Whereas, rural areas should receive equal or the same priority as urban areas for the deployment of network infrastructure for public safety communications;

Whereas, the public safety community does not have sufficient funding to support independently the extensive research and development necessary for continuing innovation on a nationwide interoperable public safety communications network;

Whereas, there remains significant disagreement about whether the public safety community has access to the necessary tools and resources to construct a nationally interoperable public safety communications network, and key among these is adequate spectrum and financial resources;

Whereas, a nationwide interoperable public safety communications network is best achieved through collaboration between the public and private sector, which will allow the public safety community to harness the power of the commercial markets, software, high-speed digital networks, and advances in radio technology;

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*Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina,
Oklahoma, Puerto Rico, South Carolina, Tennessee, Texas, U.S. Virgin Islands, Virginia, West Virginia*

Whereas, the National Association of Broadcasters reports that 92% of full power television broadcasters have already upgraded their facilities to digital transmission capabilities in preparation for the statutorily required DTV transition on February 17, 2009, indicating that efforts to ensure public safety next generation communications interoperability will not harm this transition;

Whereas, the National Governors Association has embraced "institutionalizing a governance structure that fosters collaborative planning among local, state, and federal government agencies" and "encouraging the development of flexible and open architecture standards" for public safety networks;

Be it Resolved:

The Southern Governors' Association endorses the following principles and courses of action:

A nationally interoperable public safety communications network should meet all of the following requirements and characteristics:

- Offer broadband data services (such as text messaging, photos, diagrams, and streaming video) not currently available in existing public safety land mobile systems;
- Provide nationwide roaming and interoperability for local, state, and federal public safety agencies (police, fire, and EMS) and other emergency services such as transportation, health care, and utilities;
- Provide access to the Public Switched Telephone Network (PSTN), similar to current commercial cellular services;
- Offer push-to-talk, one-to-one, and one-to-many radio capability that would provide a back-up to (but not replace) traditional public safety land mobile mission critical voice systems;
- Provide access to satellite services to provide reliable nationwide communications where terrestrial services either do not exist or are temporarily out of service;
- Cover 99% of the population in each state—regardless of the population density, as well as most of the critical infrastructure, and support urban, suburban, and rural communities;
- Have sufficient spectrum to draw commercial support;
- Be built with next generation technology;
- Be built to public safety ruggedness specifications to ensure reliability under severely adverse conditions; and
- Ensure priority access for public safety.

In order to ensure the development of a system that meets all of the above characteristics, the Southern Governors' Association recommends that:

The Department of Homeland Security (DHS) should:

1. Immediately convene a dialog with state, local and tribal governments, Federal departments and agencies, the public safety community and the

- private sector to determine whether sufficient spectrum is available to ensure, accelerate, and attain interoperable emergency communications nationwide and to make recommendations regarding other obstacles to achieving a national, interoperable public safety communications network. The outcome of this dialog should be submitted in writing to the President, Congress and all governors prior to the Federal Communications Commission's (FCC) initiation of proceedings to auction the 60 MHz of spectrum for commercial purposes.
2. Expedite the completion of the baseline assessment for the national emergency communications plan required under the FY 2007 Homeland Security Appropriations legislation so that the plan can take into consideration the upcoming spectrum auction and the potential additional spectrum needs for achieving that plan.
 3. Develop a long-term funding plan for constructing and maintaining the hardware and software aspects of a nationally interoperable next generation public safety communications network.
 4. Ensure that any federal funding provided for the purchase of end-user radio equipment does not restrict state and local governments to any particular type of equipment.

The National Telecommunications Information Administration (NTIA) should:

1. Prioritize proposals that make strides toward achieving interoperability, and should not be overly prescriptive in distributing funding under the currently pending \$1 billion grant program.

The Federal Communications Commission (FCC) should:

1. Ensure the creation of a nationwide interoperable public safety network (or network of networks) that meets the characteristics and requirements outlined above.
2. Expand the opportunity for public comment on proposals offered to achieve a nationwide interoperable public safety communications network, and determine the value of each proposal prior to implementing proceedings to auction the 60 MHz of spectrum.
3. Use a national licensing approach for any public safety network that may be developed—regardless of the source of spectrum allocated for this purpose—provided that a governance structure is created to ensure the administrative, access and technical performance aspects of said network are controlled by state and local public safety representatives, and does not preclude appropriate public-private collaboration on the network's overall development.
4. Equally weigh the needs of the public safety community with the needs of commercial operators.
5. Ensure that public safety has sufficient spectrum to provide an economic basis for public/private partnerships.
6. Expedite the processing of Eligible Telecommunications Carrier (ETC) applications that propose to expand and enhance wireless networks in rural areas to meet public safety needs.
7. Apply specific public safety requirements to at least 10 MHz of the spectrum currently scheduled to be auctioned.

8. Provide priority designation for utilities and others in the public safety community on existing spectrum below 1 GHz in times of emergency.
9. Review regulations that discourage utilities from building shared systems to support public safety communications.
10. Develop a clear model for funding the development of a nationally interoperable next generation public safety communications network.

The federal, state and local public safety community should:

1. Consider adopting an IP protocol as a first step toward eliminating many of the barriers to voice interoperability associated with proprietary technologies and achieving cost saving economies of scale.
2. Review the P-25 standard for emergency communications and determine whether adhering to this particular standard unnecessarily isolates the public safety community from technological advancements being achieved in the commercial arena.
3. Review regulations that discourage utilities from building shared systems to support public safety communications and recommend any actions that may be required to eliminate those regulations that discourage the development of shared systems by utilities that promote interoperable public safety communications.
4. Review any relevant policies and determine how to modify and/or create the appropriate system access priorities for federal, state and local public safety organizations over any nationally interoperable public safety communications network.

Time limited (effective May 2007 through Winter Business Meeting 2009)
