

United States Senate

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COMMITTEES:
BUDGET

ENERGY AND NATURAL RESOURCES
ENVIRONMENT AND PUBLIC WORKS
HEALTH, EDUCATION, LABOR,
AND PENSIONS
VETERANS' AFFAIRS

November 20, 2007

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

Dear Chairman Martin:

I am writing in regards to the request by Rural Cellular Corporation, which operates as Unicel in Vermont, and Verizon Wireless that the Commission's grant of a 90-day filing extension in connection with WT Docket No. 07-208 be reconsidered and set aside. Their request for reconsideration was filed on November 16, 2007. For the reasons given below, I ask that you deny their request and maintain the extension.

While Verizon Wireless claims it will divest itself of some of the GSM assets it would acquire from Unicel in Vermont only, the scope and ramification of such a partial divestiture are unclear. Verizon Wireless would retain GSM infrastructure in areas where there is currently no overlap between Verizon Wireless and Unicel. However, Verizon Wireless' refusal to provide enforceable commitments to maintain, upgrade, and fairly price use of the GSM network it will retain means Vermonters and visitors who rely on GSM technology would find themselves facing many of the same coverage and reliability issues that they would face if Verizon Wireless retains all of the GSM technology.

While the "rump" GSM network that Verizon Wireless will sell may be maintained and updated by the purchaser, there is no assurance that the GSM assets retained by Verizon Wireless will not be allowed to atrophy. This would result in a patchwork of reception that could ultimately doom the ability of GSM providers to effectively compete. Any resolution of the GSM issue that does not involve a complete divestiture or enforceable commitments to maintain the currency of the entire GSM infrastructure is likely to be unsatisfactory from a public interest standpoint.

In addition, Verizon Wireless' offer fails to address the other concerns that have been raised about this transaction. It does nothing to guarantee that Verizon Wireless will provide reliable service to all geographic areas of Vermont. It does nothing to guarantee that current Unicel customers will receive new handsets that are comparable to those they currently have. And it does nothing to guarantee that Verizon Wireless customers and those who would roam on the Verizon Wireless network in Vermont receive competitive pricing.

Given the critical role that wireless communication plays in the modern economy, the 90-day extension is necessary to ensure that all affected and interested parties have an adequate opportunity to examine this proposed acquisition and submit their comments to the Commission.

Respectfully submitted,


BERNARD SANDERS
United States Senator

cc: Michael J. Copps, FCC Commissioner
Jonathan S. Adelstein, FCC Commissioner
Deborah Taylor Tate, FCC Commissioner
Robert M. McDowell, FCC Commissioner