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June 4, 2008

VIA ELECTRONIC DELIVERY

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

Re: Notice of Ex Parte Presentation

Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band (WT Docket No. 07-195) (AWS-3);

Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands (WT Docket No. 04-356)(AWS-2)

Dear Ms. Dortch:

On June 4, 2008, Earl Bishop, of Volcano Telephone Company, sent an Electronic Mail message, the text of which is attached, regarding the above-referenced proceedings to the following Federal Communications Commission ("FCC" or "Commission") personnel:

Chairman Martin	Aaron Goldberger
Commissioner McDowell	Angela Giancarlo
Commissioner Adelstein	Renee Crittendon
Commissioner Copps	Bruce Gottlieb
Commissioner Tate	Wayne Leighton

Please contact the undersigned counsel should you have any questions.

Respectfully submitted,

/s/ Gregory W. Whiteaker

Gregory W. Whiteaker

Attachment

Volcano Telephone Company and its sister company Volcano Internet Provider are writing to express our strong opposition to what is reported to be the FCC's plan for auctioning and licensing the AWS-2 and AWS-3 spectrum. Specifically, it has been widely reported that the FCC plans to issue an order combining a portion of the AWS-2 J-Block with the AWS-3 spectrum and requiring the licensee of such combined block to provide "free," broadband service. If the FCC is in fact considering issuing such an order, we strongly oppose it.

As demonstrated in the recently completed auction of 700 MHz spectrum (Auction 73), the demand for commercial mobile and broadband spectrum is substantial. Small and rural companies, who were largely unsuccessful in the 700 MHz auction, are especially in need of additional spectrum resources with which to deploy advanced service to rural and secondary markets. We therefore oppose the reported plan to cannibalize the J Block spectrum in order to create a larger AWS-3 block. The J Block should be made available in a paired allocation.

We also vigorously oppose the FCC's plan to require the AWS-3 licensee to provide "free" Internet service. The FCC should not engage in "designer allocations," crafting rules to require or benefit one specific business model of the FCC's choosing. While we applaud the FCC's desire to promote universal deployment of broadband services, this is not the means to achieve it. To the contrary, the plan will hamper broadband deployment by destabilizing the marketplace and deterring investment in broadband deployment.

Sound public policy and federal law compel the FCC not to issue the reported order. The public interest and the Administrative Procedure Act require the FCC to seek further public comment and evaluation prior to adopting such a risky and narrowly targeted plan.