

June 11, 2008

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Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
12th Street Lobby, TW-A325
445 12th Street, SW
Washington, D.C. 20554

Re: *Written Ex Parte Communication; WT Docket Nos. 05-194, 08-27*

Dear Ms. Dortch:

CTIA-The Wireless Association® takes this opportunity to share with the Commission consumer-friendly policies adopted by United States (U.S.) wireless carriers. U.S. wireless carriers have taken these steps without government mandates to do so. Thanks to an environment of minimal economic regulation, the intensely competitive mobile wireless marketplace is rapidly evolving to accommodate the changing demands of consumers.

Not all wireless carriers provide the same options to consumers. Differentiation can take many forms – whether in pricing, billing options, devices, and functions. Examples include rollover minutes, free or reduced calling in-network, within a peer group, and on nights and weekends, carrier-sponsored ring-tone, music, video and other content, and many other differentiators. Wireless carriers also offer tools that empower parents to control their children’s wireless use, including web filtering, call restrictions, monetary restrictions, and limits on text messaging. Wireless carriers offer their customers another choice: prepaid (with no bills), a month to month arrangement, or one- and two-year term contracts subject to an early termination fee (ETF). Customers overwhelmingly choose the term contracts.

Carrier differentiation is tested every minute of every day in the competitive U.S. wireless marketplace. And, U.S. wireless carriers constantly adapt those policies to meet consumer demand. On the following pages, we provide examples of consumer-friendly policies adopted by the top five U.S. wireless carriers by subscribership.

- Alltel
 - Anytime Rate Plan Changes - Since April 1, 2005, Alltel has allowed customers the freedom and flexibility to change calling plans without a contract extension.
 - Customer Owned Equipment - Since April 1, 2005, Alltel has allowed customers to activate their own CDMA equipment on the Alltel network without a contract requirement.
 - Satisfaction Guarantee - Alltel allows customers a 15-day trial period after signing a contract - giving new and upgrading customers a chance to try their new equipment and network without risk.
 - Internet Access - Alltel provides access to filtered content from the Web to customers with approved devices. This is available both as a paid feature or pay-per-use service.
 - Wi-Fi Access - Alltel offers full Internet access using a wireless data card to customers who subscribe to a data plan.

- AT&T Mobility
 - Early Termination Fees - Prorates early termination fees on new and renewed one- and two-year consumer contracts for post-paid wireless services.
 - Contract Changes - Allows customers to change any standard wireless calling plan without requiring a contract extension.
 - Free Trial Period - Generally allows consumers a 30-day trial period for services and equipment.
 - Coverage Maps - Provides a mapping tool that allows prospective customers to view coverage down to a neighborhood street level.
 - Handset Choice - In addition to certifying hundreds of devices for use on the AT&T network, AT&T also enables customers to bring any compatible device to the network, purchase a SIM card and buy service on a month-to-month basis without a term commitment or ETF.
 - Open Access - AT&T was the first major wireless carrier to launch an application developer program, in 2001. More than 13,000 developers are registered. In cooperation with Apple, announced that it will begin offering a software developer kit for the iPhone and the iPhone AppStore.
 - Internet Access - Allows consumers to go anywhere on the Web with Internet-capable devices.
 - Wi-Fi Access - Provides AT&T broadband subscribers free unlimited access to its nationwide Wi-Fi network, which recently partnered with Starbucks.

- Sprint Nextel
 - Early Termination Fees – In 2008, will begin prorating early termination fees on consumer contracts for post-paid wireless services.
 - Primary Price Plan Changes - Allows customers to change primary price plans without requiring a contract extension.
 - Sprint 30 Day Risk Free Guarantee - Allows consumers 30 days to trial Sprint service and equipment. If the consumer isn't completely satisfied, the activation fee will be returned, the early termination fee will be waived, and the consumer will only be responsible for charges based on their actual usage.
 - Handset Choice – Allows customers to unlock handsets at the end of contracts assuming all obligations are current. WiMAX services will provide consumers even greater device choices. Wherever there's Xohm coverage, consumers will be able to connect with any WiMAX-enabled product -- bought from anybody.
 - Open Access – Sprint Nextel is a member of the Open Handset Alliance's free and open mobile applications platform, named Android.
 - Internet Access – Allows consumers to go anywhere on the Web with Internet-capable devices.

- T-Mobile
 - Early Termination Fees – By end of June 2008, will begin reducing early termination fees over the course of the contract on new and renewed one- and two-year consumer contracts for post-paid wireless services.
 - Contract Changes – Subject to certain restrictions, allows customers to change elements of their contracts without requiring a contract extension.
 - Free Trial Period – Allows consumers a 14-day trial period (30 days in CA) for services and equipment.
 - Coverage Maps – Provides a Personal Coverage Search tool that enables prospective customers (on website or at stores) to view T-Mobile network coverage down to a neighborhood street level.
 - Handset Choice/Unlocking – Policy is to allow access by all devices that are compatible with the T-Mobile network, subject to network management considerations. T-Mobile will unlock handsets upon request after 90 days.
 - Open Access – Policy is to allow all applications to run on its network subject to network management considerations. T-Mobile is a founding member of the Open Handset Alliance's free and open mobile applications platform, named Android.
 - Internet Access – Allows consumers to go anywhere on the Web with Internet-capable devices.
 - Wi-Fi Access – Last year, T-Mobile introduced its HotSpot @Home service, which offers customers wireless coverage and unlimited domestic calling over WiFi from home and any accessible hotspot location across the country (whether or not T-Mobile branded). Seven of T-Mobile's handsets have Wi-Fi equipped, five of which are enabled for voice Wi-Fi voice calling.

- Verizon Wireless
 - Early Termination Fees – Since November 16, 2006, early termination fees on new and extended consumer contracts for post-paid wireless services decline by \$5 per month until the contract is completed.
 - Contract Changes – Since October 7, 2007, allows customers to change calling plans without requiring a contract extension.
 - Free Trial Period – Allows consumers a 30-day trial period for services and equipment purchased from Verizon Wireless. Since March 22, 2007, the “test drive” program allows subscribers to try service for 30 days virtually risk-free if they decide to port their number to another wireless provider.
 - Internet Access – Allows consumers to access lawful content of their choice on the Web with Internet-capable devices.
 - Wi-Fi Access – Offers wireless handsets that enable consumers to access the Internet utilizing Wi-Fi connectivity.
 - Open Access – Verizon Wireless is developing an option for consumers to use wireless devices, software and applications not offered by the company. For consumers, this will mean access to: (1) New handsets whose niche appeal might not otherwise have allowed them to be mass marketed; and (2) Other sources for applications that the handsets are capable of running. Verizon Wireless hosted an Open Development Conference in New York City on March 19-20, 2008 outlining Verizon Wireless’s certification procedure and framework for open development devices.

Each of these carriers is a signatory to the wireless industry’s Consumer Code for Wireless Service, which is attached for the Commission’s reference. All of the major U.S. wireless carriers and most regional and local wireless service providers are committed to the voluntary Consumer Code. The Consumer Code is the U.S. wireless industry’s effort to provide consumers with information to help them make informed choices when selecting wireless service, to help ensure consumers understand their wireless service and rate plans, and to continue to provide wireless service that meets consumers’ needs.

The above lists are not exhaustive as to these five carriers and the broader U.S. wireless marketplace. Beyond the top five U.S. wireless carriers, five other U.S. wireless carriers serve over one million subscribers and many other smaller wireless carriers serve significant numbers of customers. In all, there are over 150 wireless carriers in the United States – each vigorously competing to win over and retain customers. Wireless carrier adoption of consumer-friendly policies is a testament to the constantly changing wireless marketplace that compels wireless carriers to respond to consumer demands to remain competitive. CTIA urges the Commission to consider these carrier- and industry-initiated efforts as it considers a variety of proposals to impose economic regulation on wireless carriers.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS with your office. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

/s/ Christopher Guttman-McCabe

Christopher Guttman-McCabe

cc: Chairman Kevin Martin
Commissioner Michael Copps
Commissioner Jonathan Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert McDowell
Aaron Goldberger
Bruce Gottlieb
John Branscome
Reneé Crittendon
Wayne Leighton
Angela Giancarlo
Fred Campbell