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August 20, 2008

Via Electronic Mail to [Matthew.Berry@fcc.gov](mailto:Matthew.Berry@fcc.gov) and ECFS

Matthew Berry, General Counsel  
Federal Communications Commission  
445 – 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Ex Parte rule violation,  
WT Docket No. 08-95

Dear Mr. Berry:

Pursuant to Section 1.1214 of the Commission's rules, 47 C.F.R. §1.1214, the undersigned hereby notifies your office that a violation of the *ex parte* rules evidently rules has occurred in connection with meetings on August 12, 2008, between representatives of Goldman Sachs, TPG Capital, L.P., Alltel Communications, LLC and Mehlman Capitol Strategies, Inc., and Chairman Martin, Commissioner McDowell, Wayne Leighton and Renee Crittendon, concerned the above-referenced docketed proceeding. Apart from naming the participants in the meetings, the *ex parte* notice (copy attached for convenient reference) states only that the "purpose of the meetings was to discuss the market conditions and the change in the availability of financing that led to the decision to sell Alltel Communications, LLC to Verizon Wireless."

Section 1.1206(b) of the rules, 47 C.F.R. §1.1206(b)(2), which governs oral presentations in permit-but-disclose proceedings such as WT Docket No. 08-95, expressly provides in relevant part that:

A person who makes an oral *ex parte* presentation subject to this section that presents data or arguments not already reflected in that person's written comments, memoranda or other filings in that proceeding shall, no later than the next business day after the presentation, submit to the Commission's Secretary, an original and one copy of a memorandum which summarizes the new data or arguments. \* \* \* \* Memoranda must contain a summary of the substance of the *ex parte* presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required.

At the time of the meetings, there was no information on the record whatever, by any of the participants or any party to the proceeding, concerning the subject matter of the meetings; and four of the participants are not parties to WT Docket No. 08-95 at all. Therefore, apart from the fact

Matthew Berry, General Counsel  
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that the *ex parte* notice was supposed to have been filed by August 13, 2008, rather than on August 14, 2008, the substance of the notice is plainly deficient and violates the disclosure requirements set forth in Section 1.1206(b)(2) of the rules.

You are respectfully requested to take such action as is appropriate to remedy the foregoing violation of the rules.

Very truly yours,

s/Kenneth E. Hardman

Kenneth E. Hardman

*Attorney for Ritter Communications, Inc.  
and Arkansas Rural Cellular Limited  
Partnership*

Enclosure

cc: Chairman Kevin J. Martin ([KJMWEB@fcc.gov](mailto:KJMWEB@fcc.gov))  
Commissioner Robert McDowell ([Robert.McDowell@fcc.gov](mailto:Robert.McDowell@fcc.gov))  
Wayne Leighton, Esq. ([Wayne.Leighton@fcc.gov](mailto:Wayne.Leighton@fcc.gov))  
Renee Crittendon, Esq. ([Renee.Crittendon@fcc.gov](mailto:Renee.Crittendon@fcc.gov))  
Kathleen Q. Abernathy, Esq. ([kabernathy@akingump.com](mailto:kabernathy@akingump.com))

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August 14, 2008

VIA ECFS

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

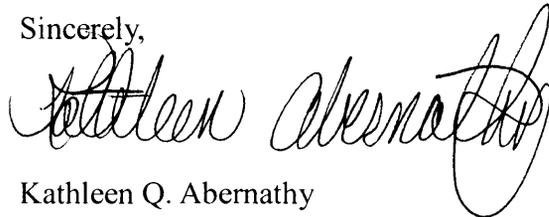
**Re: Notice of *Ex Parte* Presentation, WTB Docket No. 08-95, Applications of Alltel and Verizon Wireless**

Dear Ms. Dortch:

This to notify you that, on August 12, 2008, Joe Gleberman of Goldman Sachs, Gene Frantz of TPG Capital, L.P., Stephanie Johans of Alltel Communications, LLC, and Amy Mehlman of Mehlman Capitol Strategies, Inc. met with Chairman Martin regarding the above-referenced proceeding. Also on August 12, 2008, Mr. Gleberman, Mr. Frantz, Ms. Johans, Ms. Mehlman, and the undersigned met separately with Commissioner McDowell, Wayne Leighton, Legal Advisor to Commissioner Adelstein, and Renee Crittendon, Legal Advisor to Commissioner Tate. The purpose of the meetings was to discuss the market conditions and the change in the availability of financing that led to the decision to sell Alltel Communications, LLC to Verizon Wireless.

This letter is filed pursuant to Section 1.1206 of the rules of the Federal Communications Commission. Please direct any questions to the undersigned.

Sincerely,



Kathleen Q. Abernathy