

September 15, 2008

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

Re: *Ex Parte Communication*; WT Docket Nos. 04-356 and 07-195

Dear Ms. Dortch:

On Monday, September 15, 2008, Christopher Guttman-McCabe, Vice President, Paul Garnett, Assistant Vice President, and Brian Josef, Director, Regulatory Affairs, CTIA – The Wireless Association®, met with Renee Crittendon, Legal Advisor to FCC Commissioner Jonathan Adelstein to express concerns about proposed rules for Advanced Wireless Service (AWS) 2 and 3 spectrum in the 1915-1920 MHz, 1995-2000 MHz, and 2155-2180 MHz bands. Specifically, the proposed rules would skew an auction to the benefit of one entity or business model and create service interrupting interference to millions of consumers relying upon adjacent AWS-1 and Broadband PCS spectrum. Contrary to M2Z's warrantless claims, the proposed AWS-3 rules also will not deliver services that are free, ubiquitous, broadband, or limited to qualifying low-income consumers.

As evidenced by last week's letter on behalf of 56 signatories representing hundreds of large, medium, and small wireless and wireline companies and organizations,¹ uncertainty created by the Commission's continued consideration of these proposals is negatively impacting the ability of small and large, wireless and wireline, competitive and incumbent carriers alike to raise capital necessary to deploy broadband networks and deliver new and innovative services to consumers – particularly to those consumers located in rural areas. By reducing the value of the AWS-3 spectrum at auction, the proposed service rules also will deny the U.S. Treasury and more importantly the American people the full value of this scarce spectrum resource. CTIA, therefore, urges the FCC to resolve this proceeding in a manner that provides for fair, open auctions with flexible service rules and protective technical rules, rather than tailored conditions that favor certain parties and harm other parties.

¹ See Letter from AT&T, Blooston Rural Carriers et al., to Marlene Dortch, FCC, in WT Docket No. 07-195 (filed Sept. 10, 2008).

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being electronically filed with your office. If you have any questions regarding this submission, please contact the undersigned.

Sincerely,

/s/ Paul W. Garnett

Paul W. Garnett

cc: Renee Crittendon