

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In re Applications of)	
)	
CENTENNIAL COMMUNICATIONS)	
CORP., Transferor)	WT Docket No. 08-246
)	
and)	DA 08-2713
)	
AT&T INC., Transferee)	File Nos. 0003652447
)	
For Consent to Transfer Control of)	
Licenses, Leasing Arrangements and)	
Authorizations)	

COMMENTS OF THE RURAL CELLULAR ASSOCIATION

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SUMMARY

In this proposed transaction, the Commission is contemplating allowing AT&T, currently the nation's second largest wireless service provider with over 75 million customers, to acquire Centennial, a regional provider serving portions of Indiana, Louisiana, Michigan, Mississippi, Ohio, Texas, Puerto Rico, and the U.S. Virgin Islands with over 1.1 million subscribers. RCA believes that in order for the proposed transaction to serve the "public interest, convenience and necessity," conditions will have to be imposed that, among other things, require AT&T to: (1) divest spectrum holdings post-acquisition that would either result in AT&T exceeding the Commission's spectrum screen and/or holding both cellular licenses in any market; (2) extend and expand the duration and scope of all roaming agreements entered into by AT&T or Centennial; (3) offer interoperability when another carrier makes a reasonable request and can be technologically compatible; and (4) end its practice of entering into exclusive agreements with handset manufacturers that inherently lessen competition, particularly between the largest and smaller wireless providers.

As currently proposed, the acquisition of Centennial by AT&T will give AT&T both cellular licenses in at least portions of eight markets. Although the Commission has lifted its cellular cross-ownership ban, in doing so, the Commission noted that "a concentration of interests between the two cellular licensees in rural areas would more likely result in a significant reduction in competition than an aggregation of additional CMRS spectrum by such licensees." As a result, the Commission should require AT&T to divest itself of cellular spectrum in these eight markets and any other market where, following its acquisition of Centennial, AT&T would hold both cellular licenses.

Consolidation in the wireless industry necessarily means fewer surviving national or near national networks, thereby heightening the need for automatic roaming agreements between wireless carriers whose networks are technically compatible. The Commission should recognize that data services have become indispensable to most wireless users and extend the automatic roaming obligation to non-interconnected services or features, including services that have been classified as “information services,” such as wireless broadband Internet access service, or other non-CMRS services offered by CMRS carriers. In that regard, as a condition of grant of the subject transfer of control application, RCA believes that the FCC should require AT&T to:

- Honor Centennial’s existing agreements with any regional, small, and/or rural carrier to provide roaming on Centennial’s CDMA and GSM networks, notwithstanding any change of control or termination for convenience provisions that would give AT&T the right to accelerate the termination of such agreement;
- Hold (or lower) the rates set forth in all roaming agreements entered into by AT&T or Centennial with any other regional, small, and/or rural carrier and extend all such roaming agreements to the longer of 7 years or the term of any existing agreement between the parties;
- Provide every regional, small, and/or rural carrier that currently has roaming agreements with both AT&T and Centennial to have the option to select either agreement to govern all roaming traffic between it and post-merger AT&T and confirm that once one of the two roaming agreements is selected, it applies to all roaming traffic of the requesting carrier throughout all of the combined company’s service area, and not just to roaming traffic in the areas where AT&T and Centennial had overlapping service;
- Permit carriers to expand their AT&T or Centennial roaming agreements to services not covered by those agreements, but that AT&T or Centennial has made available to other carriers; and
- Support Centennial’s CDMA network for 7 years at the same technical and operational standards as AT&T maintains other network facilities and services in the same market.

The Commission must also take action in this proceeding to ensure carrier-to-carrier interoperability when a reasonable request is made and where technically feasible. To that end, the Commission should condition its grant of the proposed transaction upon an obligation that AT&T enter into interoperability agreements with other wireless carriers when a reasonable request is made and carrier networks are technologically compatible. With interoperability, calls in progress are handed off from one network to the other seamlessly, data is not lost or delayed, and wireless broadband services are not interrupted. Absent interoperability, small and regional carriers that provide excellent service in their licensed areas are relegated to a marginal competitive position by nationwide carriers, like AT&T, that refuse to provide seamless service even when the same network technology is deployed.

Finally, the proposed AT&T-Centennial transaction provides yet another opportunity for the Commission to recognize and end the harms caused to consumers by handset exclusivity arrangements. If the Commission is otherwise prepared to consent to the proposed transfer of control application, it should condition its grant upon a requirement that it terminate its existing handset exclusivity agreements and a prohibition barring any new agreements in the same vein. The harms resulting from the growing use of exclusive handset agreements by the nation's largest wireless carriers are significant, particularly in how they inherently lessen competition between the nation's largest and smaller wireless providers.

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COMMENTS OF THE RURAL CELLULAR ASSOCIATION

Rural Cellular Association (“RCA”),¹ by and through counsel, hereby submits these comments in response to the Commission’s Public Notice seeking input on the proposed transfer of control of licenses, authorizations and *de facto* transfer spectrum and spectrum manager leasing arrangements held by Centennial Communications Corporation (“Centennial”) and its subsidiaries to AT&T Inc (“AT&T”).² The proposed transaction represents the latest attempt by one of the nation’s three largest wireless carriers to add new customers and spectrum to its portfolio with the least amount of regulatory conditions possible.

¹ RCA is an association representing the interests of more than 100 small and rural wireless licensees providing commercial services to subscribers throughout the nation. RCA’s wireless carriers operate in rural markets and in a few small metropolitan areas. No member has as many as one million customers, and all but two of RCA’s members serve fewer than 500,000 customers.

² See Public Notice, *AT&T Inc. and Centennial Communications Corp. Seek FCC Consent to Transfer Control of Licenses, Leasing Arrangements, and Authorizations*, WT Docket No. 08-246, DA 08-2713 (rel., Dec. 16, 2008).

In just the last three months, the Commission has approved, with conditions, the acquisition of Alltel Corporation (previously the fifth largest U.S. wireless service provider) by Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”) (previously the second largest U.S. wireless service provider), allowing Verizon Wireless to become the largest wireless company in the U.S. serving more than 83 million customers,³ and the transfer of various licenses and lease arrangements held by Sprint Nextel Corporation (“Sprint Nextel”) and Clearwire Corporation to new Clearwire Corporation (“New Clearwire”), allowing a single company controlled by Sprint Nextel, currently the third largest U.S. wireless service provider with over 50 million subscribers, to obtain an enormous amount of spectrum, including virtually all of the 2.5 GHz BRS spectrum and, by lease, much of the available EBS spectrum.⁴ Now, the Commission is contemplating allowing AT&T, currently the nation’s second largest wireless service provider with over 75 million customers, to acquire Centennial, a regional provider serving portions of Indiana, Louisiana, Michigan, Mississippi, Ohio, Texas, Puerto Rico, and the U.S. Virgin Islands with over 1.1 million subscribers.

In evaluating the proposed transaction, the Commission must be mindful of its responsibilities under Section 310(d) of the Communications Act to ensure “that the public interest, convenience, and necessity will be served thereby.”⁵ As described in more detail *infra*, RCA believes that in order for the proposed transaction to serve the

³ See *In the Matter of Applications of Cellco Partnership d/b/a Verizon Wireless and Atlantis Holdings LLC*, Memorandum Opinion and Order, WT Docket No. 08-95, FCC 08-258, File Nos. 0003463892, *et al.*, ITC-T/C-20080613-00270, *et al.* (rel. Nov. 10, 2008) (“*Verizon Wireless-Alltel Merger Order*”).

⁴ See *In the Matter of Sprint Nextel Corp. and Clearwire Corp.*, Memorandum Opinion and Order, WT Docket No. 08-94, FCC 08-259, File Nos. 0003462540 *et al.* (rel. Nov. 7, 2008) (“*Sprint-Clearwire Merger Order*”).

⁵ 47 U.S.C. § 310(d).

“public interest, convenience and necessity,” conditions will have to be imposed that will, among other things, require AT&T to: (1) divest spectrum holdings post-acquisition that would either result in AT&T exceeding the Commission’s spectrum screen and/or holding both cellular licenses in any market; (2) extend and expand the duration and scope of all roaming agreements entered into by AT&T or Centennial consistent with the proposed terms described in Section II of these comments; (3) offer interoperability when another carrier makes a reasonable request and can be technologically compatible; and (4) end its practice of entering into exclusive agreements with handset manufacturers that inherently lessen competition, particularly between the largest and smaller wireless providers.

I. THE COMMISSION SHOULD PROHIBIT AT&T FROM HOLDING BOTH CELLULAR LICENSES IN A MARKET AND ANALYZE THE STATE OF COMPETITION IN MARKETS WHERE AT&T WOULD HAVE SPECTRUM HOLDINGS AT OR NEAR THE SPECTRUM SCREEN

As currently proposed, the acquisition of Centennial by AT&T will give AT&T both cellular licenses in at least portions of the following eight markets:

- CMA460 - Louisiana 7 - West Feliciana
- CMA458 - Louisiana 5 - Beauregard
- CMA501 - Mississippi 9 – Copiah
- CMA500 - Mississippi 8 – Claiborne
- CMA459 - Louisiana 6 - Iberville
- CMA197 - Lake Charles, Louisiana
- CMA455 - Louisiana 2 – Morehouse
- CMA456 – Louisiana 3 – De Soto

Although the Commission has lifted its cellular cross-ownership ban, in doing so, the Commission noted that "a concentration of interests between the two cellular licensees in rural areas would more likely result in a significant reduction in competition

than an aggregation of additional CMRS spectrum by such licensees."⁶ As a result, the Commission should require AT&T to divest itself of cellular spectrum in the above eight markets and any market where, following its acquisition of Centennial, AT&T would hold both cellular licenses.

RCA is already on record as opposing the allowance of any one entity from holding both cellular licenses in a given market.⁷ The 800 MHz cellular spectrum, along with the recently-auctioned 700 MHz licenses, are the premier spectrum ranges for delivering mobile wireless services.⁸ AT&T, along with Verizon Wireless, controls much of this desirable spectrum. Other bands (*e.g.*, PCS) have inferior propagation characteristics in comparison to cellular and 700 MHz bands and, therefore, require significantly more cell sites to achieve the same coverage and quality. In-building penetration is also more challenging in other spectrum bands – a critical factor as more and more customers "cut the cord," preferring instead to rely on mobile phone service in their homes and offices.

As part of the transfer of control application, the applicants provide a competition analysis that lists the licensees in each of the Centennial markets, but does not provide any insight into who is actually providing commercial service to subscribers in those markets. Therefore, in reviewing the transfer of control application, the Commission

⁶ See also *Facilitating the Provisions of Spectrum-Based Services to Rural Areas and Promoting Opportunities for Rural Telephone Companies to Provide Spectrum-Based Services*, Report and Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd. 19078, 19118 (2004).

⁷ See *Petition for Rulemaking to Impose a Spectrum Aggregation Limit on all Commercial Terrestrial Wireless Spectrum Below 2.3 GHz*, Reply Comments of Rural Cellular Association, RM No. 11498, at 3-4 (filed Dec. 22, 2008).

⁸ Because of its superior propagation characteristics, low-band spectrum is considered more valuable than high-band spectrum by the wireless industry. See *Improving Public Safety Communications in the 800 MHz Band*, Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order, 19 FCC Rcd. 14969, 15117 (2004).

must be sure to analyze the actual amount of competition in markets where, as a result of the proposed merger, AT&T would have spectrum holdings at or near the Commission's spectrum screen.

II. THE COMMISSION SHOULD REQUIRE AT&T TO EXTEND AND EXPAND THE DURATION AND SCOPE OF ALL ROAMING AGREEMENTS ENTERED INTO BY AT&T OR CENTENNIAL

Consolidation in the wireless industry necessarily means fewer surviving national or near national networks and the result is an increasing need for access to those networks by customers of other carriers. While the Commission has historically indicated a preference to resolve such issues in the context of a rulemaking proceeding,⁹ the Commission should not miss the opportunity – such as in its review of the subject transaction – to improve prospects for consumer access to compatible wireless networks. Fewer remaining wireless networks only heighten the need for automatic roaming agreements between wireless carriers whose networks are technically compatible.

Consumers now also expect more from their mobile service provider than mere voice services. The availability of broadband access, in addition to voice and narrowband data, is of great importance to consumers, particularly when they leave the licensed areas of their smaller home market carrier. The Commission should recognize that data services have become indispensable to most wireless users and, as specified below, extend the automatic roaming obligation to non-interconnected services or features, including services that have been classified as “information services,” such as

⁹ See *Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers*, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd. 15817, WT Docket No. 05-265, FCC 07-143 (2007).

wireless broadband Internet access service, or other non-CMRS services offered by CMRS carriers.

In the *Verizon Wireless-Alltel Merger Order*, the Commission imposed roaming conditions on Verizon Wireless that required the company to agree to:¹⁰

- Honor Alltel's existing agreements with other carriers to provide roaming on Alltel's CDMA and GSM networks;
- Voluntarily offer each regional, small, and/or rural carrier that has a roaming agreement with Alltel the rates set forth in that roaming agreement in force for the full term of the agreement, notwithstanding any change of control or termination for convenience provisions that would give Verizon Wireless the right to accelerate the termination of such agreement;
- Provide every regional, small, and/or rural carrier that currently has roaming agreements with both Alltel and Verizon Wireless to have the option to select either agreement to govern all roaming traffic between it and post-merger Verizon Wireless; and
- Hold or lower the rates set forth in Alltel's existing agreements with each regional, small and/or rural carrier for the full term of the agreement or for four years from the closing date, whichever occurs later.

Due to the continuing consolidation in the wireless industry, the growing competitive concerns in the wireless industry that are raised by this proposed transaction, and AT&T's unique presence as the largest GSM network operator in the country and, until last Friday, the largest wireless service provider in the nation, RCA believes that the Commission should require more of AT&T. In that regard, as a condition of grant of the subject transfer of control application, RCA believes that the Commission should require AT&T to:

¹⁰ See *Verizon Wireless-Alltel Merger Order*, at ¶ 178.

- Honor Centennial's existing agreements with any regional, small, and/or rural carrier to provide roaming on Centennial's CDMA and GSM networks, notwithstanding any change of control or termination for convenience provisions that would give AT&T the right to accelerate the termination of such agreement;
- Hold (or lower) the rates set forth in all roaming agreements entered into by AT&T or Centennial with any other regional, small, and/or rural carrier and extend all such roaming agreements to the longer of 7 years or the term of any existing agreement between the parties;
- Provide every regional, small, and/or rural carrier that currently has roaming agreements with both AT&T and Centennial to have the option to select either agreement to govern all roaming traffic between it and post-merger AT&T and confirm that once one of the two roaming agreements is selected, it applies to all roaming traffic of the requesting carrier throughout all of the combined company's service area, and not just to roaming traffic in the areas where AT&T and Centennial had overlapping service;
- Permit carriers to expand their AT&T or Centennial roaming agreements to services not covered by those agreements, but that AT&T or Centennial has made available to other carriers; and
- Support Centennial's CDMA network for 7 years at the same technical and operational standards as AT&T maintains other network facilities and services in the same market.

III. GRANT OF THE PROPOSED TRANSACTION SHOULD BE CONDITIONED UPON AN OBLIGATION THAT AT&T ENTER INTO INTEROPERABILITY AGREEMENTS WHEN A REASONABLE REQUEST IS MADE AND NETWORKS ARE TECHNOLOGICALLY COMPATIBLE

Automatic roaming agreements among wireless carriers facilitate customer use of networks of other carriers by allowing calls to be placed and received, and data to be exchanged, without the customer needing to make direct arrangements with multiple carriers. But automatic roaming alone, as important as it is to consumers and carriers, does not do enough to provide consumers with the mobile continuous service they expect. The Commission must also take action in this proceeding to ensure carrier-to-carrier interoperability when a reasonable request is made and where technically feasible. To

that end, the Commission should condition its grant of the proposed transaction upon an obligation that AT&T enter into interoperability agreements with other wireless carriers when a reasonable request is made and carrier networks are technologically compatible.

Large carriers, like AT&T, are known to create "moats" around their service areas such that calls, as well as broadband and other data service connections, attempted by customers of other carriers near the edge of a license area are not completed or are not sustained. The result is that consumers often need to try (and retry) calls that are dropped until they enter an area that is comfortably within the next carrier's license area, miles down the road from where calls were attempted unsuccessfully or service was disrupted and minutes after a consumer's initial call. However, with interoperability, calls in progress are handed off from one network to the other seamlessly, data is not lost or delayed, and wireless broadband services are not interrupted.

The public safety benefits of interoperability agreements between wireless carriers cannot be overstated. E911 Phase II location accuracy is more likely to be available if a subscriber's home carrier and the away-from-home, serving carrier have an interoperability agreement in place. At a time when funding to upgrade Public Safety Answering Points ("PSAPs") to Phase II capability is a high priority for local, state and federal governments, and when carriers are investing in equipment to provide improved location accuracy information to PSAPs, the safety benefits that result from carrier interoperability agreements should be recognized by the Commission and carriers, like AT&T, should be required to cooperate with one another to pursue those agreements when systems are technologically compatible.

Competition is promoted through interoperability because it allows small, regional and rural wireless carriers to offer the public a service that is not interrupted by unsuccessful

inter-carrier handoffs and because consumers can make full use of their wireless devices regardless of which carrier is their serving carrier whenever the networks are technically compatible. Absent interoperability, small and regional carriers that provide excellent service in their licensed areas are relegated to a marginal competitive position by nationwide carriers, like AT&T, that refuse to provide seamless service even when the same network technology is deployed. When a large carrier has the power, unilaterally and intentionally, to cause a competitor to disappoint and alienate consumers with a disruption in service when they roam outside their home service area, competition in the market is diminished.

IV. THE COMMISSION SHOULD PROHIBIT AT&T FROM ENGAGING IN EXCLUSIVE HANDSET AGREEMENTS AS A CONDITION OF APPROVAL OF THE TRANSFER OF CONTROL APPLICATION

RCA has filed a Petition before the Commission to investigate the widespread use and anticompetitive effects of exclusivity arrangements between commercial wireless carriers and handset manufacturers.¹¹ In the Petition, RCA asks the Commission, as necessary, to adopt rules that prohibit such arrangements when contrary to the public interest. The proposed AT&T-Centennial transaction provides yet another opportunity for the Commission to recognize and end the harms caused to consumers by handset exclusivity arrangements. As described in more detail below, if the Commission is otherwise prepared to consent to the proposed transfer of control application, it should condition its grant upon a termination of existing handset exclusivity agreements and a prohibition on any new agreements in the same vein.

¹¹ See RCA Petition for Rulemaking Regarding Exclusivity Arrangements Between Commercial Wireless Carriers and Handset Manufacturers, RM No.11497 (filed May 20, 2008) ("Petition"); see also *Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking Regarding Exclusivity Arrangements Between Commercial Wireless Carriers and Handset Manufacturers*, Public Notice, RM No. 11497, DA 08-2278 (rel. Oct. 10, 2008); *Petition for Rulemaking Regarding Exclusivity Arrangements Between Commercial Wireless Carriers and Handset Manufacturers*, Order, RM No.11497, DA 08-2576 (rel. Nov. 26, 2008) (extending comment and reply comment deadlines in the proceeding to Feb. 2, 2009 and Feb. 20, 2009, respectively).

As RCA explained in its Petition, the nation's largest carriers – perhaps, most notably, AT&T – enter into exclusive arrangements with handset manufacturers for what appears to be a variety of reasons, including unilateral control over the features, content and design of a particular handset, sole control over the marketing of a particular handset, monopolistic control over the sale price of a particular handset, and absolute control over the market availability of a particular handset. For many consumers, the end result of these exclusive arrangements is being channeled to purchase wireless service from a carrier that has monopolistic control over the desired handset, paying higher prices for the services and accessories available with the desired handset, having to agree to unusual (and undesirable) terms and conditions of service, and having to pay a premium price for the handset because the market is void of any competition for the particular handset.¹²

However, consumers who are forced to sign up for service with the one carrier with rights to the desired handset and pay a premium price for the handset and its capabilities are not the only ones harmed by these exclusive arrangements. Americans living in rural areas who cannot get any coverage from the carriers benefiting from these exclusive arrangements are also harmed, since they are denied the technological benefits of many of the most popular handsets available today.

By way of example, though the iPhone has been available to most Americans for more than 18 months, it is only being made available for the first time today – January 15, 2009 – to residents of Vermont. It was reported that the introduction was “made possible by AT&T's December 2008 acquisition of UniceL assets in Vermont.”¹³ In reality, the

¹² Petition at 2.

¹³ See *AT&T Mobility to Sell iPhone 3G in Vermont on January 15th*, Yahoo! Finance (<http://finance.yahoo.com/news/ATampT-Mobility-to-Sell-prnews-14013937.html>).

iPhone could have been introduced in Vermont on June 29, 2007, the same day it was introduced to many other areas of the country. As many Vermonters are keenly aware, only the exclusivity arrangement between AT&T and Apple prevented that from happening.¹⁴

For carriers, like AT&T, able to command these exclusive arrangements, the end result is a significant and unfair advantage over competitors.¹⁵ RCA members continue to encounter significant obstacles in attempting to provide prospective and current customers with today's most popular handsets. In one recent trade press article, it was reported that 8 of the 10 most popular handsets currently available in U.S. are tied by way of an exclusivity arrangement to one U.S. wireless service provider – Verizon Wireless, AT&T, Sprint Nextel or T-Mobile.¹⁶ In contrast, most handsets being made available to many RCA's member carriers are basic, low-end handsets without many of the cutting-edge features customers covet. Moreover, to the extent that the Commission continues to facilitate the growing practice by the nation's largest carriers of entering into handset exclusivity arrangements with manufacturers, the elimination of Centennial – one of the largest regional carriers in the country – would make it even more difficult for other small carriers to get access to higher-end handsets, since their collective economies of scale would be reduced. As a result, the ability of RCA member carriers to compete effectively with the products and services offered

¹⁴ See iPhone Vermont (accessible at <http://www.iphonevermont.com/>); see also iPhone Vermont – “the unofficial iPhone for Vermont blog” (accessible at <http://iphonevt.wordpress.com/>).

¹⁵ Of course, Tier II and Tier III carriers are further challenged in their ability to compete with the nation's largest wireless carriers not only because they are unable to get access to wireless handsets that are comparable in function and style to the high end exclusive handsets, but also because they are unable to command the same volume discounts from vendors as the nation's largest wireless carriers, creating a wireless marketplace bordering on oligopsony.

¹⁶ See *By the numbers: Top 10 most popular U.S. handsets in November*, RCR Wireless, by Kristin Beckman (Jan. 8, 2009) (accessible at <http://www.rcrwireless.com/article/20090108/WIRELESS/901079989/-1/Frontpage>). The Apple iPhone and the Blackberry Bold – both exclusives to AT&T – were 2 of the 10 most popular handsets in the nation in November 2008. *Id.*

by the largest carriers, including AT&T, is significantly and unfairly diminished due to their limited handset selection, thereby further enhancing the dominant market power of carriers like AT&T.

The harms resulting from the growing use of exclusive handset agreements by the nation's largest wireless carriers are significant, particularly in how they inherently lessen competition between the nation's largest and smaller wireless providers, and will only get worse if the proposed transaction is permitted to proceed absent a condition that ends this anticompetitive practice. Therefore, the Commission should force AT&T to terminate its existing handset exclusivity agreements and prohibit any new agreements of the same nature as a condition to its approval of the proposed transaction.

V. CONCLUSION

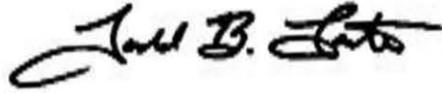
The proposed transfer of control will only serve the “public interest, convenience and necessity,” consistent with the statutory requirements set forth in Section 310(d) of the Communications Act, by conditioning approval of the transaction upon spectrum divestitures so that AT&T does not end up holding both cellular licenses in any market post-acquisition nor exceed the applicable spectrum screen in any market and upon agreement by AT&T that it will: (1) extend and expand the duration and scope of all roaming agreements entered into by AT&T or Centennial consistent with the proposed terms described in Section II of these comments; (2) offer interoperability when another carrier makes a reasonable request and can be technologically compatible;¹⁷ and (3) terminate existing handset exclusivity agreements and agree not to enter into any new

¹⁷ The Commission must not allow AT&T to include terms in interoperability or automatic roaming agreements that limit a smaller carrier's ability to market its services to the public. Terms must be reasonable and nondiscriminatory.

handset exclusivity agreements in the same vein. Absent AT&T's concurrence to these conditions, the transfer of control application should be denied.

Respectfully submitted,

RURAL CELLULAR ASSOCIATION

A handwritten signature in black ink, appearing to read "Todd B. Lantor". The signature is fluid and cursive, with the first name "Todd" being the most prominent.

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CERTIFICATE OF SERVICE

I, Donna L. Brown, hereby certify that on this 15th day of January, 2009, copies of the foregoing Comments were sent by e-mail, in pdf format, to the following:

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