

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)
)
Petition for Rulemaking Regarding Exclusivity) RM No.11497
Arrangements Between Commercial Carriers and)
Handset Manufacturers)

To: The Commission

**FURTHER COMMENTS
OF
CORR WIRELESS COMMUNICATIONS, LLC**

Corr Wireless Communications, LLC ("Corr"), by its attorneys, hereby offers these further comments supporting the petition of the Rural Cellular Association to prohibit exclusivity arrangements between handset manufacturers and commercial mobile carriers. Corr originally submitted comments before the initial comment deadline of December 2, 2008. Corr continues to urge the Commission to prohibit exclusive handset arrangements which artificially limit access by millions of consumers to the latest handset devices. We here merely bring to the Commission's attention recent developments abroad that corroborate the need for action in this country.

In December, the Competition Council, which oversees fair competition in France's business sectors, provisionally suspended an exclusivity agreement between Apple Inc. and France Telecom. The exclusivity agreement appears to be similar to the arrangement between Apple and AT&T in this country. The Council's action immediately permitted customers in

France to buy the iPhone (with a contract) from competing operators SFR and Bouygues Telecom. The action was in response to a complaint filed by Bouygues Telecom over the Apple deal, citing unfair competitive practices, but other carriers who had been frozen out of the iPhone market will also benefit. The Competition Council's action is interim pending an investigation of the agreement between Apple and France Telecom which is not expected to be completed until 2010. To prevent other abusive arrangements in the meantime, the Council ordained that any future contracts between Apple and other operators would be capped at three months duration.

The swift remedial action taken by the French regulatory authority should serve as a bellweather for the Commission. By prohibiting the exclusive deal, millions of French consumers gained immediate access to a useful handset device. Consumers here, however, remain relegated to the black market if they want an iPhone but are unfortunate enough not to be an AT&T customer. Tying arrangements of this kind retard competition and do a major disservice to consumers. The Commission should act boldly and swiftly to correct the problem.

Respectfully submitted,

Corr Wireless Communications, LLC

By: _____/s/_____

Donald J. Evans
Its Attorney

Fletcher, Heald & Hildreth
1300 N. 17th St.
Arlington, VA 22209
703-812-0430