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May 8, 2009

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Room TW-B204  
Washington, DC 20554

**Re: Notice of Oral *Ex Parte* Communication: WT Docket No. 05-265** – Further Notice of Proposed Rulemaking in the Matter of Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, we hereby provide you with notice of an oral *ex parte* presentation in connection with the above-referenced proceeding. The presentation occurred on May 7, 2009 in a meeting with Renee Roland Crittendon, Chief of Staff and Senior Legal Advisor to Commissioner Jonathan S. Adelstein.

Attending the meeting on behalf of Cellular South, Inc. ("Cellular South") were Victor H. (Hu) Meena, Carson M. Hughes and Eric Graham of Cellular South, and its representatives Charles (Chip) Pickering, Susan Butler, Mitch Rose and David Nace. It was suggested that the Commission promptly take action to extend the automatic roaming obligation to non-interconnected data services. Delay in action is detrimental to the interests of subscribers who have a reasonable expectation of access to email and broadband data services when traveling. Data roaming is needed by Cellular South to develop a viable business plan to construct 700 MHz facilities under licenses purchased in Auction No. 73 so that broadband services will be available both in the rural and small markets that Cellular South serves and in other areas where its customers travel. Delay in action threatens the ongoing viability of small and

mid-sized wireless carriers such as Cellular South.

Sincerely,

A handwritten signature in blue ink, appearing to read "David L. Nace". The signature is fluid and cursive, with a long horizontal stroke at the end.

David L. Nace

cc: Renee Roland Crittendon (by email)  
Commissioner Jonathan S. Adelstein (by email)  
Best Copy and Printing, Inc. (by email)