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\*NOT ADMITTED IN VA

November 18, 2009

## VIA ELECTRONIC FILING

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**Re: Meeting Notification  
WT Docket No. 05-265, RM-11497**

Dear Ms. Dortch:

On November 17, 2009, Steven K. Berry, Chief Executive Officer and Executive Director of Rural Cellular Association (RCA), met with Commissioner Meredith Attwell Baker and Charles Mathias, Legal Advisor to Commissioner Attwell Baker, to encourage Commission action on RCA's Petition for Rulemaking (RCA Petition) in the Commission's exclusive handset proceeding, to adopt rules that would extend automatic roaming obligations to data services and eliminate the in-market exception, and to discuss the Petition for Rulemaking filed by the 700 MHz Block A Good Faith Purchasers Alliance.

With respect to the RCA Petition, Mr. Berry stated that the Commission should move forward with a Notice of Proposed Rulemaking to investigate the widespread use and anticompetitive effects of exclusivity arrangements between commercial wireless carriers and handset manufacturers, and, as necessary, adopt rules that prohibit such arrangements when contrary to the public interest. Mr. Berry also discussed the consumer and competitive harms being caused from the growing use of exclusive handset arrangements by the nation's largest carriers.

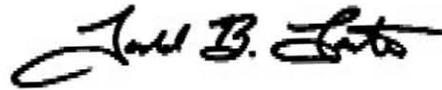
On the issue of data roaming, Mr. Berry asked that the Commission take action to extend the Commission's automatic roaming rules to data services. Mr. Berry explained

that the ability for rural consumers to have access to data services while roaming is a critical service offering to consumers and communities, and essential to the competitive viability of regional and rural carriers. Mr. Berry also made clear that the expansion of automatic roaming obligations to include data is a basic and fundamental building block of achieving the Administration's goal of providing broadband to rural America, consistent with the Commission's stated goals in developing its National Broadband Plan.

On the issue of the Petition for Rulemaking filed by 700 MHz Block "A" Good Faith Purchasers Alliance, Mr. Berry explained how Verizon Wireless and AT&T are collaboratively establishing self-serving "band classes" for 700 MHz mobile equipment in coordination with the LTE Standards Group, 3GPP, that will allow only these two dominant carriers to have economic and near-term access to 700 MHz equipment. Mr. Berry stated that the clear intentions of Verizon Wireless and AT&T are to block the development of equipment for 700 MHz Lower "A" Block licensees, thereby impeding competition and harming consumers. Mr. Berry encouraged the Commission to initiate a rulemaking to investigate the issues raised in the Petition.

Pursuant to Section 1.1206 of the Commission's Rules, this notification is being filed electronically with your office.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Todd B. Lantor". The signature is fluid and cursive, with a large initial "T" and "L".

Todd B. Lantor  
*Counsel to Rural Cellular Association*

cc: Commissioner Meredith Attwell Baker (via e-mail)  
Steven K. Berry (via e-mail)