

December 7, 2009



Marlene Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: *Ex Parte* Notice  
WT Docket No. 09-66 (Mobile Wireless Competition)  
RM-11497 (Handset Exclusivity)

Dear Ms. Dortch:

On December 7, 2009, M. Chris Riley of Free Press, and Parul P. Desai and Matthew F. Wood of Media Access Project (collectively, the "Participants") met with Louis Peraertz, Acting Legal Advisor, Wireless, International, and Public Safety, for Commissioner Mignon Clyburn.

The Participants urged the Commission to take into account, both in pending proceedings and other competition policy contexts, various barriers to market entry and growth that still exist in the mobile wireless and adjacent markets. The Participants suggested that the Commission consider additional factors when assessing effective competition in wireless markets such as practices that negatively impact consumer welfare, including early termination fees, long-term contracts, and exclusive handset arrangements. The Participants further discussed the impact of exclusive handset arrangements to consumer choice and innovation. The Participants also suggested that the Commission consider roaming obligations; the geographic size of and market-specific data for the particular market under consideration; and parallel pricing and conduct of wireless carriers when considering whether effective competition exists.

Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. §1.1206(b), this letter is being filed electronically with your office today.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Parul P. Desai". The signature is fluid and cursive, with a small flourish at the end.

Parul P. Desai

cc: Louis Peraertz