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December 11, 2009

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VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street., SW
Washington DC 20554

Re: *Applications of AT&T Inc. and Cellco Partnership d/b/a Verizon Wireless for Consent to Assign or Transfer Control of Licenses and Authorizations and to Modify a Spectrum Leasing Arrangement, WT Docket No. 09-104; Applications of Atlantic Tele-Network, Inc. and Cellco Partnership d/b/a Verizon Wireless for Consent to Assign or Transfer Control of Licenses and Authorizations, WT Docket No. 09-119.*

Dear Ms. Dortch:

Verizon Wireless hereby respectfully expands upon and supplements its *ex parte* filed on November 27, 2009, regarding a meeting held on November 25, 2009, between John T. Scott III, Deputy General Counsel of Verizon Wireless and the undersigned, of Wiley Rein LLP, and Austin Schlick, Jim Bird, Joel Rabinovitz, David Horowitz and Neil Dellar of the Office of General Counsel, and Kathy Harris, Susan Singer, Monica DeLong, and Angie Kronenberg, of the Wireless Telecommunications Bureau.¹

As explained in the November 27 *ex parte*, the participants discussed the proper scope of the Bureau's November 19, 2009 information requests in the above-referenced matters. In particular, Verizon Wireless explained that it was under no legal obligation to sell the divestiture assets to a particular type of entity. The *Verizon Wireless/ALLTEL Order* merely encouraged Verizon Wireless to consider certain categories of buyers to the extent possible, but this was a suggestion, not a requirement. Verizon Wireless also explained that Section 310(d) of the Communications Act prohibits the Commission from considering buyers other than

¹ Although Verizon Wireless believes its prior *ex parte* was sufficient under the *ex parte* rules, we file this instant letter in an abundance of caution and to avoid the need for the Commission to expend resources in responding to the December 3, 2009, letter of the "Georgia Partners" filed by their counsel Bennet & Bennet in the above-referenced dockets.



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the proposed buyers, AT&T Inc. and Atlantic-Tele-Network, Inc. and, further, that the Equal Protection component of the Due Process Clause of the Fifth Amendment prevents the Commission from imposing or enforcing any race- or gender-based divestiture requirement. Verizon Wireless also explained that the information requests were overbroad, unduly burdensome, and implicated proprietary information of third parties. For these reasons, Verizon Wireless objected to the information requests regarding other bidders, the divestiture process, and race- and gender-based requests.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, a copy of this letter is being filed electronically for inclusion in the above-captioned dockets. Please direct any questions about this matter to the undersigned.

Respectfully submitted,

/s/ Helgi C. Walker

Helgi C. Walker

cc: Austin Schlick
Jim Bird
Joel Rabinovitz
David Horowitz
Neil Dellar
Kathy Harris
Susan Singer
Monica DeLong
Angie Kronenberg