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# LATHAM & WATKINS LLP

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April 14, 2010

## VIA ELECTRONIC FILING

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

*Re: WT Docket No. 05-265; EX PARTE*

Dear Ms. Dortch:

This is to inform you that on Tuesday, April 13, 2010, representatives of Cellular South; Leap Wireless International and Cricket Communications; MetroPCS; National Telecommunications Cooperative Association (“NTCA”); NTELOS; Organization for the Promotion and Advancement of Small Telecommunications Companies (“OPASTCO”); Rural Cellular Association (“RCA”); Rural Telecommunications Group, Inc. (“RTG”); SouthernLINC Wireless, T-Mobile; and US Cellular (together, the “Wireless Industry Representatives”) met with Charles Mathias, wireless legal advisor to Commissioner Baker; Angela Giancarlo, chief-of-staff and senior legal advisor to Commissioner McDowell; Louis Peraertz, wireless legal advisor to Commissioner Clyburn; and David Goldman, wireless legal advisor to Chairman Genachowski.

At these meetings, the Wireless Industry Representatives reiterated their collective support for the elimination of the in-market roaming exception, as set forth in their individual filings in the above-referenced proceeding.

In particular, the Wireless Industry Representatives urged the Commission to adopt a strong presumption in favor of roaming, both in-market and out-of-market. The Wireless Industry Representatives expressed their concern regarding Verizon’s advocacy of “factors” that would be taken into account in roaming complaint proceedings, and urged the Commission to guard against efforts by Verizon and AT&T to use such factors to continue to discriminate on an “in-market” basis if the in-market exception is stricken from the Commission’s current roaming rule.

The Wireless Industry Representatives also urged that, while not pre-judging any particular set of facts, the Commission should strongly declare that it would not look favorably

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upon a host carrier's attempt to discriminate on an in-market basis in the provision of roaming services.

Finally, the Wireless Industry Representatives urged that the Commission move forward without delay on its planned Further Notice on data roaming.

Please contact the undersigned should you have any questions.

Very truly yours,

- /s/ -

James H. Barker

Counsel for Leap Wireless International, Inc. and  
Cricket Communications, Inc.

cc: Ruth Milkman, Chief, WTB  
David Nace, Esq., Counsel for Cellular South  
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