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May 24, 2010

Via Electronic Delivery

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW, TW-A325
Washington, DC 20554

**Re: Notice of *Ex Parte*
Applications of ALLTEL Corporation and Verizon Wireless
WT Docket No. 08-95**

***In the Matter of Reexamination of Roaming Obligations of Commercial Mobile
Radio Service Providers and Other Providers of Mobile Data Services
WT Docket No. 05-265***

**Rural Cellular Association Petition for Rulemaking regarding
Exclusivity arrangements between commercial wireless carriers and
handset manufacturers
RM No. 11497**

Dear Ms. Dortch:

The Rural Telecommunications Group, Inc. (“RTG”), by its attorneys, hereby submits this ex parte letter in response to the *Order on Reconsideration* and *Second Further Notice of Proposed Rulemaking* recently released by the Federal Communications Commission (“FCC” or “Commission”) in its roaming proceeding.¹

In its *Order on Reconsideration*, the Commission modified the automatic roaming obligation it had previously adopted for voice and related services in 2007 by eliminating the in-market or “home” roaming exception. In its *Second Further Notice of Proposed Rulemaking*, the Commission sought to refresh the record in order to determine whether to extend roaming obligations to mobile broadband and data services.

¹ *In the Matter of Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers and Other Providers of Mobile Data Services*, WT Docket No. 05-265, Order on Reconsideration and Second Further Notice of Proposed Rulemaking (released April 21, 2010) (“*Order on Reconsideration*” and “*Second Further Notice of Proposed Rulemaking*”).

RTG's Petition to Deny² in the ALLTEL-Verizon merger proceeding addressed both of these matters. Specifically, RTG requested that until both the home roaming exception and data roaming requirement were resolved, the Commission should deny or suspend the applications for license transfer under consideration.³ Following the FCC's grant of the license transfer applications, RTG filed a Petition for Reconsideration⁴ in which it continued to stress the importance of resolving these and other issues.

In light of the Commission's *Order on Reconsideration*, RTG wishes to dismiss as moot its request that the Commission apply in-market or "home" roaming conditions as part of the ALLTEL-Verizon merger. However, because the Commission has not yet extended its existing roaming obligations to data services, RTG reasserts its request that the Commission reconsider the current automatic roaming policy and impose data roaming requirements on Verizon as a condition to approving the applications. Additionally, RTG reasserts its other positions in its Petition for Reconsideration, including that the Commission reconsider and impose conditions that require 1) ALLTEL's GSM network to remain open for roaming services until roaming is available on LTE; 2) roaming conditions to be extended to both existing and *new* regional, small and/or rural operators; and 3) Verizon to cease entering into handset exclusivity agreements to the detriment of rural carriers and consumers with device manufacturers until the Commission finishes its rulemaking process.

Should you have any questions or require additional information, please do not hesitate to contact me.

Respectfully submitted,

Rural Telecommunications Group, Inc.

By: /s/ Caressa D. Bennet
Caressa D. Bennet
General Counsel

² *In re Applications of Atlantis Holdings, LLC, Transferor, and Cellco Partnership d/b/a Verizon Wireless, Transferee*, WT Docket No. 08-95, Petition to Deny of the Rural Telecommunications Group, Inc. (filed August 11, 2008) ("Petition to Deny").

³ Petition to Deny at 22.

⁴ *In re Applications of Atlantis Holdings, LLC, Transferor, and Cellco Partnership d/b/a Verizon Wireless, Transferee*, WT Docket No. 08-95, Petition for Reconsideration of the Rural Telecommunications Group, Inc. (filed December 10, 2008) ("Petition for Reconsideration") at 11-12.