



Mary L. Henze
Asst. Vice President
Federal Regulatory

AT&T Services, Inc.
1120 20th Street, Suite 1000
Washington, D.C. 20036
Phone 202 457-2041
E-Mail: mary.henze@att.com

June 28, 2010

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

Re: WC Docket 09-104, 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 Modify a Spectrum Leasing Arrangement

Dear Ms. Dortch,

On June 25, 2010, Mary Henze and Cathy Carpino of AT&T met with Irene Flannery, Nicholas Degani, Divya Shenoy, and Jennifer Wertheimer of the Wireline Competition Bureau (Bureau). The purpose of the meeting was to discuss AT&T's plan to request that the Bureau transfer to it the eligible telecommunications carrier (ETC) designation originally conferred on Western Wireless in 2001, which covers the tribal members residing on the Pine Ridge Reservation in South Dakota.¹

In response to the Bureau's question about whether it has delegated authority to grant an ETC transfer request, we note that the Bureau's authority in this area is broad. In 1997, the Commission delegated to the Chief of the Common Carrier Bureau (now the Wireline Competition Bureau) "the authority to designate carriers as eligible telecommunications carriers, pursuant to section 214(e)(6)."² Since AT&T will request that the Bureau designate it as an ETC for the provision of service to tribal members on the Pine Ridge Reservation, the

¹ See *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 Modify a Spectrum Leasing Arrangement*, WT Docket No. 09-104, Memorandum Opinion and Order, FCC 10-116, ¶¶ 141-42 (rel. June 22, 2010) (describing AT&T's commitments with respect to the Pine Ridge Reservation, including its commitment to seek a transfer of the Western Wireless/Alltel ETC designation covering the Reservation, and conditioning its consent to the proposed transaction on AT&T's fulfillment of its Pine Ridge Reservation commitments).

² *Procedures for FCC Designation of Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act*, Public Notice, 12 FCC Rcd 22947, 22948 (1997).

Bureau clearly has authority over AT&T's request. We explained that several states have approved ETC transfer requests that involved an asset transfer. The West Virginia Commission is one such state commission to have done so.³ In addition, we understand that, just last week, the Louisiana Commission voted to approve an ETC transfer request also involving an asset transfer. Finally, we urged the Bureau to act in an expeditious manner in order to ensure ongoing Tribal Lifeline benefits.

This notice is being filed pursuant to Sec. 1.1206(b)(2) of the Commission's rules. If you have any questions concerning this filing, please do not hesitate to contact me at 202-457-2041.

Sincerely,

/s/

Mary L. Henze

cc: I. Flannery
N. Degani
D. Shenoy
J. Wertheimer

³ Its decisions can be found through the following links:

<http://www.psc.state.wv.us/scripts/WebDocket/ViewDocument.cfm?CaseActivityID=247091> and
<http://www.psc.state.wv.us/scripts/WebDocket/ViewDocument.cfm?CaseActivityID=247446>.