



The Voice of Rural & Regional Carriers

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August 11, 2010

**Via ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: RM-11592; RM-11497  
WT Docket No. 06-150  
PS Docket No. 06-229  
GN Docket No. 09-51**

Dear Ms. Dortch:

On August 10, 2010, Steven K. Berry, President and CEO of the Rural Cellular Association (RCA); Tim Donovan, Director, Legislative Affairs for RCA; Grant Spellmeyer, Senior Director of Legislative & Regulatory Affairs at U.S. Cellular; Allison Cryor DiNardo, President, King Street Wireless, Inc.; Peter Cramton, Professor of Economics, University of Maryland; and the undersigned met with Commissioner Copps, Mr. John Giusti and Mr. Frank Gonzalez to discuss the lack of interoperability in the 700 MHz spectrum band and the economic impacts that will result.

As explained in the attached economic paper prepared by Peter Cramton, interoperability throughout the 700 MHz band is crucial for both public safety and consumers to reap the economic benefits of roaming and access to the latest handsets. Device flexibility and interoperability in the 700 MHz band will allow all operators and consumers to enjoy economies of scale, will increase handset competition while decreasing costs, and will improve service, especially in rural areas, with greater coverage and seamless roaming. Lack of interoperability in the 700 MHz band will impose significant costs and burdens upon A Block licensees which will competitively disadvantage smaller and regional carriers, public safety and consumers. RCA highlighted technical solutions to interoperability further discussed in the recently filed Wireless Strategy Papers.<sup>1</sup> RCA requested that the FCC act quickly on the 700 MHz Block A Good Faith Purchasers Alliance Petition to prevent balkanization of the 700 MHz spectrum.<sup>2</sup>

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<sup>1</sup> Doug Hyslop & Chris Helzer, *Wireless Strategy 700 MHz Upper Band Analysis* (May 10, 2010), available in Coalition for 4G in America, Written Ex Parte Presentation, WT Docket No. 06-150; PS Docket No. 06-229; GN Docket No. 09-51 (May 10, 2010); Doug Hyslop & Chris Helzer, *Wireless Strategy 700 MHz Upper Band Analysis* (July 19, 2010), available in Coalition for 4G in America, Written Ex Parte Presentation, WT Docket No. 06-150; PS Docket No. 06-229; GN Docket No. 09-51 (July 19, 2010).

<sup>2</sup> See 700 MHz Block A Good Faith Purchasers Alliance's Petition for Rulemaking Regarding the Need for 700 MHz Mobile Equipment to be Capable of Operating on All Paired Commercial 700 MHz Frequency Blocks, RM-11592 (filed Sept. 29, 2009); see also, *Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking Regarding 700 MHz Band Mobile Equipment Design and Procurement Practices*, Public Notice, RM-11592, DA 10-278 (Feb. 18, 2010).

In addition to 700 MHz interoperability, RCA members described their slow moving progress toward eliminating the competitive hurdles created by handset exclusivity. RCA representatives described their continued effort to reach an industry consensus on exclusivity arrangements. Because it has not successfully negotiated a compromise with the large carriers, RCA asked the FCC to investigate the anti-competitive effects of handset exclusivity.<sup>3</sup>

This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's Rules.

Sincerely,



Rebecca Murphy Thompson  
General Counsel

cc: Mr. John Giusti

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<sup>3</sup> See Petition for Rulemaking Regarding Exclusivity Arrangements between Commercial Wireless Carriers and Handset Manufacturers, Rural Cellular Association, RM-11497 (May 20, 2008).