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September 9, 2010

**Via ECFS**

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: Notice of Ex Parte**

*Connect America Fund (CAF), High-Cost Universal Service Support*  
WC Docket Nos. 10-90, 05-337

*Federal-State Joint Board on Universal Service*  
CC Docket No. 96-45

*A National Broadband Plan for Our Future*  
GN Docket No. 09-51

*Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers*  
WT Docket No. 05-265

Dear Ms. Dortch:

On Wednesday, September 8, 2010, the Rural Telecommunications Group, Inc. (“RTG”) met with staff from the Federal Communications Commission’s Wireless Telecommunications Bureau (“WTB”) and Wireline Competition Bureau (“WCB”) to discuss plans for the creation of a Mobility Fund as recommended in the National Broadband Plan (“NBP”).<sup>1</sup> RTG was represented by Caressa Bennet, Kenneth Johnson, and Anthony Veach. WTB was represented by Jane Jackson, Margaret Wiener, Gary Michaels, Martha Stancill, and Scott Mackoul. WCB was represented by Patrick Halley, Katie King, and Elise Kohn.

RTG’s counsel noted that the FCC’s Mobility Fund, the size of which it understands is anticipated to be about \$300 million, could jump start 3G or better service in certain rural areas cost effectively if used efficiently. RTG noted, however, that a \$300 million fund cannot be expected to result in greatly increased coverage to a high number of people or large geographic areas if it is used to build networks from scratch where there is currently no mobile coverage.

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<sup>1</sup> See Federal Communications Commission, *Connecting America: The National Broadband Plan*, Chapter 8 Availability, p. 144-5 (Mar. 2010).

Given the limited funding available, RTG posited that the best use of the funds would be for the upgrade of existing 2G and 2.5G networks to 3G and the expansion of these networks in situations where the economies of scope made sense. RTG explained that because most of the necessary infrastructure such as towers, backhaul, switches and switching services are already in place, the limited funding can be used to assist rural networks with the upgrade to 3G or some specifically targeted expansion, thereby getting the most “bang for the buck.” With respect to prioritizing the funding of such upgrades, RTG urged the FCC to have a mechanism to ensure that population targets take into consideration not only where people live, but also areas where they travel for work and for recreation. RTG emphasized the fact that this is a **Mobility Fund**, not a Fixed Wireless Fund, and that the FCC needs to examine the benefit of 3G upgrades along highways between towns and cities, as well as near seasonal work areas such as oil fields, ranches, farms, sustenance fishing and hunting areas and recreational areas, when prioritizing distribution of the Mobility Fund.

RTG’s counsel cautioned, however, that the FCC’s proposed one-time Mobility Fund cannot be used to replace ongoing high-cost support for wireless competitive eligible telecommunications carriers (“CETCs”) and that the Commission cannot view the Mobility Fund as any kind of substitute for continued high-cost support. Rural wireless carriers require ongoing support to maintain the provision of wireless services to high-cost, hard-to-serve areas.

RTG also noted that any Mobility Fund should ensure that 3G coverage and funding is targeted to less-populated, rural areas, rather than urban “dead spots.” Also, since the monies to fund the Mobility Fund will likely come from high-cost support surrendered by Tier I carriers, notably Verizon Wireless and Sprint, RTG noted that it would make no sense for these two carriers to be able to dip into the Mobility Fund after having agreed to forego federal support.

Regarding the subject of reform to high-cost universal service and the creation of a Connect America Fund, RTG reaffirmed its position that the Commission currently lacks the authority to fundamentally change the universal service fund as proposed in the NBP and the FCC’s recent notice of inquiry and notice of proposed rulemaking.<sup>2</sup> Any changes to universal service must conform to the requirements set out in section 254 of the Communications Act.

Additionally, RTG stressed the fact that data roaming is critical to building a competitive, retail mobile marketplace in rural America and that without reciprocal data roaming agreements, rural wireless carriers cannot offer rural citizens the same services that their urban counterparts enjoy (i.e., nationwide mobile data services). RTG also noted that the practice of larger carriers of blocking their customers from being able to roam on rural carriers’ networks not only disserves the public interest by not allowing urban and suburban consumers to use their mobile devices when outside of their home area, but also robs rural carriers of roaming revenue that could be utilized to subsidize the cost of their rural networks used to serve rural consumers. In order for the Mobility Fund to successfully strengthen wireless networks in areas that are lacking 3G coverage, the Commission must mandate reciprocal data roaming among all carriers.

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<sup>2</sup> *In re Connect America Fund*, WC Docket No. 10-90, *A National Broadband Plan for Our Future*, GN Docket No. 09-51, *High-Cost Universal Service Support*, WC Docket No. 05-337, Notice of Inquiry and Notice of Proposed Rulemaking, FCC 10-58 (April 21, 2010).

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  
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