

555 Eleventh Street, N.W., Suite 1000
Washington, D.C. 20004-1304
Tel: +1.202.637.2200 Fax: +1.202.637.2201
www.lw.com

LATHAM & WATKINS LLP

February 25, 2011

VIA ELECTRONIC FILING

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

FIRM / AFFILIATE OFFICES
Abu Dhabi Moscow
Barcelona Munich
Beijing New Jersey
Brussels New York
Chicago Orange County
Doha Paris
Dubai Riyadh
Frankfurt Rome
Hamburg San Diego
Hong Kong San Francisco
Houston Shanghai
London Silicon Valley
Los Angeles Singapore
Madrid Tokyo
Milan Washington, D.C.

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

Dear Ms. Dortch:

This is to inform you that on Thursday, February 24, 2011, I spoke telephonically with Austin Schlick, General Counsel of the Federal Communications Commission (“FCC”), and with Ruth Milkman, Chief of the Wireless Telecommunications Bureau of the FCC, on behalf of Leap Wireless International and Cricket Communications (“Cricket”). During these discussions, I reiterated positions set forth in Cricket’s filings in the above-referenced proceeding. In particular, I reiterated Cricket’s arguments that the Commission has clear legal authority to adopt a wireless data roaming obligation, and that the Commission could and should consider data roaming to be the functional equivalent of CMRS given the record in this and other proceedings that reflect the convergence of voice and data services.

Please contact me should you have any questions.

Very truly yours,

- /s/ -

James H. Barker

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

cc: Austin Schlick
Ruth Milkman