

April 1, 2011

VIA ELECTRONIC DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation
RM-11592; RM-11626; WT Docket No. 11-18**

Dear Ms. Dortch:

Yesterday, Vulcan Wireless LLC (“Vulcan”) representatives Scott Wills, Paul Nagle, and Michele Farquhar spoke with Louis Peraertz, Legal Advisor to Commissioner Mignon Clyburn, regarding Vulcan’s concerns as a Lower 700 MHz A Block licensee, as described in the attached hand-out. Specifically, the Vulcan representatives highlighted the need for an immediate freeze on any new applications for licenses of TV broadcast stations on Channel 51. The parties also described: (1) the benefits of nationwide 700 MHz interoperability, as detailed in the attachment; and (2) the two conditions proposed in Vulcan’s reply comments regarding the AT&T-Qualcomm transaction pending before the Commission.

Pursuant to Section 1.1206(b) of the Commission’s rules, I am filing this notice electronically in the above-referenced dockets. Please contact me directly with any questions.

Respectfully submitted,

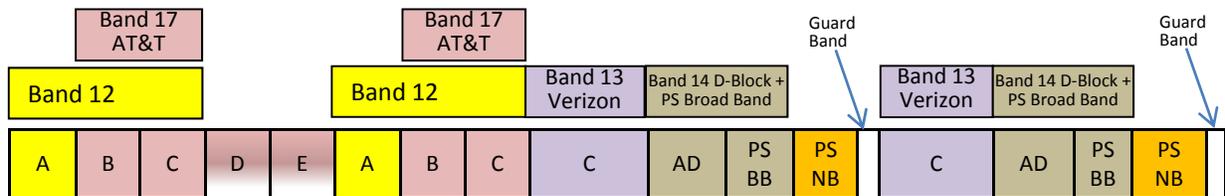
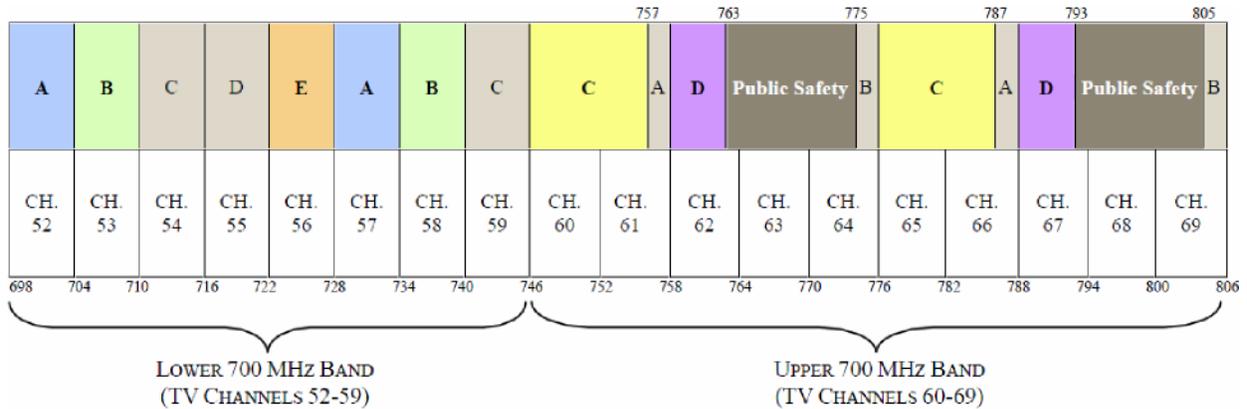
/s/ Michele C. Farquhar

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700 MHz Plan for Commercial Services



Activity Timeline for 700 MHz Band Class - Pre and Post Auction 73

December 2007	January 24, 2008	March 18, 2008	April 5 - 9, 2008	June 16 - 20, 2008	September 18 - 22, 2008	September 2009 (still pending)	December 2010
<ul style="list-style-type: none"> The 3GPP Standard Body had only used Band Class 12 to develop standards for all Lower 700 MHz A, B & C spectrum blocks. No other band class had ever been used in 3GPP to set standards for any deployed wireless technology governing those spectrum blocks. 	<ul style="list-style-type: none"> Auction 73 opens 	<ul style="list-style-type: none"> Auction 73 closes 	<ul style="list-style-type: none"> Motorola submits paper to 3GPP to evaluate the need for a new Band 17. It eliminates the Lower 700 MHz A Block and only includes Blocks B and C, which orphans A Block, significantly curtails manufacturer support for A Block and eliminates interoperability 	<ul style="list-style-type: none"> Ericsson presents discussion paper arguing against Band 17 and raises concerns "which goes against economies of scales and may lead to market fragmentation". AT&T presents discussion paper arguing in favor of Band 17. Ericsson eventually withdraws their protests, clearing the path for Band 17. 	<ul style="list-style-type: none"> (6 months after the close of Auction 73)– 3GPP ratifies Release 8 with new Band Classes for LTE: Bands include: <ul style="list-style-type: none"> 17-Lower B/C (primarily for AT&T owned Spectrum) 13-Upper C (exclusively for Verizon Spectrum Block) 12-Lower A/B/C (loosing support from AT&T for B & C) 14 - for Upper D & Public Safety Broadband 	<ul style="list-style-type: none"> 700 MHz Block A Good Faith Purchasers Alliance Petitions for Rulemaking on Interoperability 	<ul style="list-style-type: none"> 3GPP modifies Releases 8 & 9 to include 1 MHz Guard Band within Band 12 to address potential interference issues and gains some limited manufacturer support.

Need for Licensing Freeze on Channel 51

The FCC should grant the CTIA-RCA Petition for Rulemaking and Request for Licensing Freezes to prohibit future licensing of TV broadcast stations on Channel 51, implement a freeze on the acceptance, processing and grant of applications for broadcast facilities on Channel 51, and accelerate clearance of Channel 51 in order to minimize interference to 700 MHz A Block licensees.

Benefits of Nationwide Interoperability

Prerequisite to Competition. An interoperability requirement will ensure that AT&T, which will hold the vast majority of Lower 700 MHz spectrum and disproportionate influence over the vendor ecosystem, will not hold the vendor community captive, to the detriment of A Block licensees.

Economies of Scale. The 700 MHz band is unique in that it doesn't match other international allocations, so no global economies of scale can be leveraged. This makes it more difficult for smaller providers when the biggest U.S. holders of the spectrum use the standards bodies to facilitate creating equipment that only works for their portions of the band, thus orphaning bands of smaller providers. As a result, Lower A Block holders face far higher costs than those associated with other spectrum bands.

Time to Market. In first serving the needs of the two unique band classes that are dominated by ATT and VZW, the Lower A Block holders are significantly disadvantaged through the lack of access to new devices and delays in the development of standards, chip sets and equipment. For example, Verizon had its LTE network deployed covering 100+ million US POPs before Band Class 12 was even fully ratified in the LTE standards body. Furthermore, Verizon never integrated Band Class 12 into its LTE roll out plans even though it is the largest A Block spectrum holder, further hampering needed ecosystem support and leaving questions about VWZ plans for the Band Class. An interoperability requirement is needed to create a competitive marketplace and a robust ecosystem, much like a number portability requirement was needed to ensure that customers could have meaningful choices.

Prerequisite to Data Roaming. The tentative agenda for the FCC's April 7th Open Meeting includes a data roaming order, but data roaming will not be feasible without interoperability. Without an interoperability requirement, Verizon and AT&T can easily use the standards body process to render data roaming technically infeasible.

911 and Public Safety Interoperability. 911 calls could fail. 700 MHz spectrum provides a different footprint than other bands currently used for mobile. In a geographic (likely rural) location only served by a 700 MHz footprint, it is possible that a phone operating on the Lower 700 MHz A Block could only reach a Lower 700 MHz B and C Block tower but not be able to communicate due to differing standards or a lack of interoperability. In addition, commercial interoperability should offer cost saving for public safety. Congressional Research Service predicts that carriers with common radio interfaces are expected to put the cost of public safety radios within the same price range as commercial high-end mobile devices (\$500). By contrast, non-interoperable radios for narrowband networks at 700 MHz cost \$3,000 and up, each.

Jobs and Deployment. Smaller wireless carriers and new entrants hold all of the A Block licenses beyond the top 25 markets, which are held by VZW. Whether it's a competitive provider or the only provider, A Block licenses bring jobs and economic opportunities to their communities. The President's broadband deployment goal of reaching 98% of Americans cannot be met without the participation of all wireless carriers.

Less \$ Needed for USF Subsidy in Rural Areas. The cost needed to serve these areas will only go up and ultimately be paid for through USF.

More \$ at Future Auctions/Diversity. A major reason for the success of recent auctions is multiple bidders. Multiple entrants provide an opportunity for marketplace diversity and auction competition. These entities will not bid if they can simply be driven out of the marketplace through standards bodies practices. The overall pool of auctions monies will be reduced and the larger carriers will see less competition for markets, further reducing revenues. (Note: Auction 92 includes Lower A Block licenses in Texas and West Virginia).