

March 8, 2011

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Notice of Ex Parte Presentations**  
**WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135,**  
**WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No.**  
**96-45 and WC Docket No. 03-109**  
**WC Docket No. 11-10, WC Docket No. 07-38, WC Docket No. 08-90**  
**and WC Docket No. 10-32**  
**GN Docket No. 09-191 and WC Docket No. 07-52**  
**ET Docket No. 04-186 and ET Docket No. 02-380**

Dear Ms. Dortch:

On March 2, 2011, representatives of the fixed wireless Internet service provider (“WISP”) industry met with various Commission personnel to discuss the state of the WISP industry. The WISP representatives included Marlon Schafer of Odessa Office Equipment, Martha Huizenga of DC Access, Matt Larsen of Vistabeam, Chuck Bartosch of Clarity Connect and Brian Webster of Wireless Mapping.

The meetings at which the WISP representatives appeared were as follows: (1) a meeting with John Giusti, advisor to Commissioner Michael Copps, and Angela Giancarlo, advisor to Commissioner Robert McDowell; (2) a meeting with Charles Mathias, advisor to Commissioner Meredith Baker, (3) a meeting with Louis Peraertz, advisor to Commissioner Mignon Clyburn, and (4) a meeting with Julius Knapp, Alan Stilwell, Rashmi Doshi and Walter Johnston of the Office of Engineering & Technology, Robert Cannon and Chuck Needy of the Office of Strategic Planning & Policy Analysis, Doug Klein of the Office of General Counsel and Louis Peraertz of Commissioner Clyburn’s office.

In the course of the discussions, the WISP representatives presented the materials contained in the attached document. For ease of reference:

- pages 18 and 43 discuss points related to the pending Connect America Fund proceeding (WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45 and WC Docket No. 03-109);
- page 19 discusses points related to Form 477 reform (WC Docket No. 11-10, WC Docket No. 07-38, WC Docket No. 08-90 and WC Docket No. 10-32);
- pages 20 and 29 discuss points related to the Open Internet proceeding (GN Docket No. 09-191 and WC Docket No. 07-52); and

- page 29 discusses the impact that exclusion zones in TV white space and other bands have on urban broadband deployment (ET Docket No. 04-186 and ET Docket No. 02-380).

The meeting participants also indicated that higher power would afford WISPs greater operational flexibility.

To the extent necessary, waiver of Section 1.1206(b) of the Commission's Rules is respectfully requested. The WISP industry representatives did not discuss any of the pending proceedings in significant detail, and this notice is being filed out of an abundance of caution in the event that the ex parte rules require it to be filed. Moreover, the WISP industry representatives did not appreciate until after the meetings that an ex parte notice may be required and that such notice would be required to be filed within one business day thereafter. Upon realizing that an ex parte notice may be required, the WISP industry representatives engaged legal counsel to assist in the filing. This notice is being filed only four business days following the meetings, and none of the proceedings is in the Sunshine period. Accordingly, no party to any of the proceedings would be prejudiced.

Pursuant to Section 1.1206 of the Commission's Rules, this notice is being filed via ECFS in the above-referenced proceedings. Please direct any questions regarding this notice to Marlon Schafer at (509) 982-2181 or ooe@odessaoffice.com.

Sincerely,

*/s/ Marlon Schafer*

*/s/ Martha Huizenga*

*/s/ Matt Larsen*

*/s/ Chuck Bartosch*

*/s/ Brian Webster*

Enclosure