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May 5, 2011

BY ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St., S.W.
Washington, D.C. 20554

Re: *Applications of AT&T Inc. and Verizon Wireless for Consent To Assign or Transfer Control of Licenses and Authorizations and Modify a Spectrum Leasing Arrangement, WT Docket No. 09-104; Petition of AT&T Mobility, LLC for Designation as an Eligible Telecommunications Carrier and Transfer of the Alltell Pine Ridge Reservation Eligible Telecommunications Carrier Designation, WC Docket No. 09-197*

Dear Ms. Dortch:

On May 5, 2011 Joan Marsh and Mary Henze of AT&T met with Christi Shewman, Trent Harkrader, Vickie Robinson and Divya Shenoy of the Wireline Competition Bureau, Geoff Blackwell and Irene Flannery of the Office of Native Affairs and Policy, and Paul Murray, Nese Guendelsberger, and Stacy Ferraro of the Wireless Telecommunications Bureau. During the meeting, AT&T updated the FCC regarding Service Agreement negotiations with the Oglala Sioux Tribe on the Pine Ridge Reservation and urged immediate action on the above Petition.

On June 22, 2010, the Commission unanimously approved the transfer of certain licenses and authorizations to AT&T in connection with the above-referenced proceeding. In approving

the license transfer, the Commission adopted a series of commitments made by AT&T to ensure the continuity of high quality, low cost services to the Oglala Sioux Tribe on the Pine Ridge Reservation, which falls within the service area of the assets acquired by AT&T in the transaction.

As to the pending disputes over the underlying Service Agreement governing terms and conditions for service on the Reservation, the Commission found that those disputes encompassed contractual matters in which the Commission ordinarily does not become involved and that all parties were pursuing their respective claims in courts of appropriate jurisdiction. The Commission did, however, accept AT&T's commitment to undertake on a going forward basis the rights and obligations of Western Wireless under the existing Service Agreement and to continue in good faith to attempt to negotiate a replacement agreement with the Tribe.

After receiving approval of the transaction, AT&T promptly fulfilled its service continuity commitment and continues to provide supported services to the residents of the Reservation today. AT&T also engaged in good faith negotiations with the OST for a new service agreement. AT&T commenced discussions with the OST regarding the provisioning of service on the Pine Ridge Reservation as early as November 2009. Those discussions continued throughout 2010, and involved a variety of individuals appointed by the OST to perform the task of negotiating on its behalf. A new proposed service agreement was reached with the OST negotiating team in late March 2011. At that time, AT&T accepted an invitation by the OST negotiating team to attend the March 31, 2011 OST Council Meeting where AT&T -- in partnership with the appointed OST negotiator -- intended to present the proposed agreement to the OST Council for their approval.

As the timeline above indicates, AT&T has spent considerable time (approximately 18 months) and resources reaching the new proposed service agreement with the OST negotiating team. AT&T has now been advised that the OST Council has appointed a "new" negotiating team to work on a different service agreement with AT&T. While AT&T respects the resolution adopted by the OST Council, AT&T views the proposed agreement reached with the prior team of OST negotiators as its best and final offer to the OST. AT&T stands behind the terms and conditions offered in the proposed agreement and stands ready to execute the proposed agreement with the OST.¹

AT&T also continues to stand ready, willing and able to continue to provide essential services to its customers on the Reservation, pending resolution of AT&T's CETC Petition for the Pine Ridge Reservation. AT&T's again requests that the Commission grant it CETC designation as requested without further delay.

¹ AT&T will continue to make the proposed service agreement available for execution by the OST until January 1, 2012, unless the FCC denies, in whole or in part, or fails to act on AT&T's request to be designated as an ETC on the Pine Ridge Reservation pursuant to Section 214(e) of the Communications Act by June 22, 2011, at which point the proposed agreement should be deemed withdrawn.

In accordance with the Commission's rules, this letter is being filed electronically with the Secretary for inclusion in the public record.

Sincerely

A handwritten signature in black ink, appearing to be 'JM', followed by a horizontal line extending to the right.

Joan Marsh

cc: Christi Shewman
Trent Harkrader
Vicki Robinson
Divya Shenoy
Geoff Blackwell
Irene Flannery
Paul Murray
Nese Guendelsberger
Stacy Ferraro