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May 27, 2011

VIA ELECTRONIC FILING

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

Re: Notice of Oral *Ex Parte* Communication:

RM No. 11592 – Petition for Rulemaking Regarding 700 MHz Band Mobile Equipment Design and Procurement Practices

WT Docket No. 11-18 – Applications of AT&T Mobility Spectrum LLC and Qualcomm Incorporated for Consent to Assign Lower 700 MHz Band Licenses

WC Docket No. 05-337 – High Cost Universal Service Support

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, we hereby provide you with notice of an oral *ex parte* presentation by Cellular South, Inc. ("Cellular South") in connection with the above-referenced proceedings. The presentation occurred on May 26, 2011 in a meeting with Rick Kaplan, Chief Counsel and Senior Legal Advisor to Chairman Julius Genachowski.

Attending the meeting on behalf of Cellular South were Ben Moncrief, the company's Manager of Public Policy; Kevin Joseph, legislative consultant; and David Nace, attorney for Cellular South.

Cellular South is a member of the "700 MHz Block A Good Faith Purchasers Alliance" ("Alliance")¹ that petitioned the Commission in September 2009 to require that mobile devices

¹ The Alliance is a joint venture consisting of Cellular South, Cavalier Wireless, LLC, Continuum 700, LLC; and King Street Wireless, L.P., each of which is a licensee of Lower 700 MHz Band Block A spectrum.

for the 700 MHz bands be capable of operating on all paired frequency blocks in the 700 MHz bands, and that equipment authorization be suspended until rules to this effect are in place.² Now that comments have been received on that petition it is requested that the Commission issue a rulemaking notice promptly to assure that devices have capability to operate on frequency blocks licensed to other carriers with compatible networks in the Lower and Upper 700 MHz bands, including public safety spectrum.

Cellular South urges the Commission not to grant the applications for assignment of 700 MHz licenses from Qualcomm to AT&T without conditions that preclude anticompetitive 700 MHz equipment design and procurement practices, or which exclude Lower 700 MHz Band, Frequency Block A capability in LTE wireless devices that it offers to subscribers. Specifically, AT&T should be required to support Band Class 12 wireless devices, not Band Class 17 devices.

Finally, Cellular South inquired about expected timing for the proposed Universal Service reform and about the prospects for the continued provision of support to multiple wireless service providers in the same areas.

Sincerely,

A handwritten signature in blue ink, appearing to read "David L. Nace", with a long horizontal stroke extending to the right.

David L. Nace

cc: Chairman Julius Genachowski (by email)
Rick Kaplan (by email)
Best Copy and Printing, Inc. (by email)

² Petition for Rulemaking Regarding the Need for 700 MHz Mobile Equipment to be Capable of Operating on All Paired Commercial 700 MHz Frequency Blocks, RM No. 11592, filed Sept. 29, 2009.