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June 6, 2011

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

Re: Notice of Ex Parte Presentation
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

Dear Ms. Dortch:

On June 3, 2011, members of the Wireless Internet Service Providers Association (“WISPA”) met by telephone with personnel of the Commission’s Wireline Competition Bureau (“Bureau”). The WISPA representatives included Richard Harnish (Executive Director), Elizabeth Bowles (President), Matthew Larsen (Treasurer), Jack Unger (FCC Committee Chair), Forbes Mercy (Legislative Committee Chair) and undersigned counsel to WISPA. The Bureau was represented by Sharon Gillett, Carol Matthey, Steve Rosenberg, Amy Bender and Alex Minard.

As background, the WISPA representatives explained that their fixed wireless broadband operations are typically self-funded without any support from the federal government. They stated that WISPs provide service primarily over non-exclusive unlicensed frequencies in the 900 MHz, 2.4 GHz and 5 GHz bands that are shared with other wireless Internet service providers (“WISPs”) and consumer devices that create “noise” and congestion. In some cases, WISPs use 3650 MHz Service spectrum licensed under a non-exclusive nationwide “hybrid” licensing scheme. The WISPA representatives indicated that a residential consumer typically will pay around \$40 per month to receive download data transfer rates of 1 Mbps, with increases of around \$10 for each additional 1 Mbps increase in data transfer rates. WISPA estimated that adoption rates for WISPs is approximately 40-60% in areas where consumers do not have choice in fixed broadband services.

The primary purpose of the call was to discuss proposals made by Public Knowledge (“PK”) in its May 24, 2011 notice of ex parte presentation. In particular, the Bureau asked WISPA for input on PK’s suggestion that recipients of Universal Service

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Fund (“USF”) subsidies for broadband service to end users should have an obligation to allow ISPs, including WISPs in neighboring areas to connect to the network supported by USF subsidies in order to serve communities outside the funded area. The WISPA representatives expressed general support for this proposal and discussed the idea of requiring connection at certain “meet me” points in the funded network. WISPA plans to submit a more detailed view on how the connection obligation should be stated following further internal discussion.

The call participants also discussed the desire for WISPs to be eligible for USF broadband funding. WISPA expressed concern that, because the majority of WISPs are not “telecommunications carriers” able to obtain eligible telecommunications carrier (“ETC”) status, WISPs are not eligible under existing rules to receive USF support. WISPA and the Bureau acknowledged the legal questions surrounding the Commission’s authority to extend eligibility to non-ETCs. WISPA indicated that it plans to present a proposal describing potential sources of the Commission’s legal authority following further internal discussion.

WISPA expressed its appreciation to the Bureau for its outreach to WISPA on these significant issues.

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 the undersigned.

Respectfully submitted,

/s/ Stephen E. Coran
Stephen E. Coran

cc: Sharon Gillett
Carol Matthey
Steve Rosenberg
Amy Bender
Alex Minard

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