

555 Eleventh Street, N.W., Suite 1000  
Washington, D.C. 20004-1304  
Tel: +1.202.637.2200 Fax: +1.202.637.2201  
www.lw.com

# LATHAM & WATKINS LLP

VIA ELECTRONIC FILING

October 6, 2011

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

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Re: Notice of *Ex Parte* Presentation

ViaSat, Inc. and WildBlue Communications, Inc.  
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;  
WC Docket No. 03-109

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Dear Ms. Dortch:

On October 4, 2011, Lisa Scalpone, Vice President of ViaSat, Inc. and Vice President and General Counsel of WildBlue Communications, Inc. (a division of ViaSat), and the undersigned as outside counsel, met with the following members of the Wireless Bureau: Amy Bender, Joe Cavender, Patrick Halley, Steve Rosenberg, and Martha Stancill.

The discussions focused upon the following points: (i) unserved households should be a focus of the CAF; (ii) the right of first refusal for ILECs as proposed in the ABC Plan is bad for consumers, particularly those in unserved areas; (iii) a number of competitive broadband providers stand ready to serve the unserved; (iv) for unserved households in particular, a market-based mechanism should be used to award CAF support; (v) the CAF should not be divided into different funds for different technologies; (vi) the ABC Plan's proposed allocation of funds to satellite and wireless technologies is grossly inadequate, particularly given the significant role those technologies will play in deploying state-of-the-art service to the unserved; and (vii) it is competitively crucial that the Commission make clear in its October decision that all technologies are eligible under the CAF.

Please contact me with any questions.

Respectfully submitted,

/s/ John P. Janka  
John P. Janka

cc: Amy Bender  
Joe Cavender  
Patrick Halley  
Steve Rosenberg  
Martha Stancill