

VIA ELECTRONIC MAIL

October 20, 2011

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

Re: WC Docket No. 10-90	Connect America Fund
GN Docket No. 09-51	A National Broadband Plan for our Future
WC Docket No. 07-135	Establishing Just and Reasonable Rates for Local Exchange Carriers
WC Docket No. 05-337	High-Cost Universal Service Support
CC Docket No. 01-92	Developing a Unified Intercarrier Compensation Regime
CC Docket No. 96-45	Federal-State Joint Board on Universal Service
WC Docket No. 03-109	Lifeline and Link-up

NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

Mescalero Apache Telecom, Inc. (“MATI”) hereby files this letter in the above-captioned dockets. MATI is one of eight Native American Indian Tribally-owned incumbent local exchange carriers and provides telecommunications services on the Mescalero Apache Indian Reservation in southeastern New Mexico.

MATI is extremely discouraged and concerned with Chairman Genachowski’s speech on October 6th, 2011, where the Chairman stated, “Thereafter, the Mobility Fund will provide significant ongoing support for rural mobile broadband. This will include dedicated support for Tribal areas, where broadband and mobile service remains far behind the national average.” The Chairman’s message strikes hard and deep at Native American Indian Communities for a variety of reasons: 1) The Chairman’s message suggests that mobile broadband providers are allowed and approved to provide telecommunications service on Indian Reservations without the explicit authorization of the Tribes, thereby discounting Tribal Sovereignty rights; 2) the message suggests that somehow wireless will be a replacement for robust wireline telecommunications, again implying that only minimum POTS/Broadband requirements “will be good enough” for Tribal Communities; 3) the message exploits Native American Indian Communities by pushing the Commission’s agenda forward at the expense of Indian Communities nationwide, which clearly are the most economically-challenged population in the United States; 4) the message implies that Native American Communities will not be offered the same advanced service advantages of the rest of the United States resulting from the limitations of wireless speeds/service; 5) the message violates, in MATI’s opinion, the Trust relationship the Commission has promised to extend on a government-to-government basis with Indian Nations. There was no one-on-one interaction with MATI on behalf of the Commission nor were there specific dealings with MATI to work with and develop a fair Tribal “carve out” given circumstances that clearly warrant a deviation from the norm for USF funding; and 6) the Chairman’s message acknowledges that Tribal areas are far behind the national average for broadband and mobile services, yet gives no credence to those eight Tribal ILECs that have done as the Commission has Ordered and provided opportunities and advancement for their people in the way of providing telecommunications services where the previous carriers provided little to no service whatsoever.

Since inception in 2001, MATI has been a good steward and shining example of “doing the right thing” with USF monies, building infrastructure and providing both basic and advanced service Reservation-wide. When MATI took over operations in 2001, approximately 600 access lines were in service on the Reservation. Today, more than twice as many lines are on-network and Community members have access to both the PSTN and Internet via a vibrant telecommunications network. While significant advances have been made on the Reservation, more work needs to be done. MATI is counting on the Commission to do its part, as part of the Commission’s Trust responsibility, in making sure that Indian Communities nationwide, including the eight existing Tribal ILECs, are cared for, tended to, and not neglected in preserving and advancing the National Broadband Plan.

Pursuant to Section 1.1206(b) of the Commission’s rules, this letter is being filed electronically.

Sincerely,

A handwritten signature in black ink, appearing to read "Godfrey Enjady", with a long horizontal flourish extending to the right.

Godfrey Enjady, General Manager
Mescalero Apache Telecom, Inc.