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December 7, 2011

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

Re: WT Docket No. 11-18
File No. 0004566825
RM-11592

Dear Madam Secretary:

On December 5, 2011, Ms. Susan Butler and Messrs. Wirt Yerger, Charles Pickering and the undersigned, all representing Cavalier Wireless, LLC met with Mr. Mark Stone of Commissioner Copps' office and discussed matters as set forth below. No materials were handed out at the meeting.

Mr. Stone was advised that:

1. Without a one-band solution (also often referred to as interoperability), there will be no meaningful broadband competition in the 700 MHz band.
2. There is considerable Congressional support for a one-band solution. (See the enclosed correspondence.)
3. Public Safety would benefit from the conditions, as small carriers need it to operate and would be more likely to offer service in rural areas.

4. Without a one-band solution, there is no Band 12 equipment that offers roaming capability.
5. Without roaming, Band 12 carriers will be very hard-pressed to make a competitive offering, especially in “green field” situations.
6. Without a one-band solution, the FCC’s data roaming rules effectively do not extend to 700 MHz.
7. The one-band solution advocated involves only the lower 700 MHz band.
8. Recent technical studies show that the purported interference issues – which have never been supported meaningfully – are non-existent.
9. The timeframe for the implementation of a one-band solution should be no slower than (a) initiation by mid-year 2012 and (b) completion by end of 2012. Were it to take longer, potential completion in 700 MHz broadband could well be foreclosed prior to it ever coming into existence.

Should any questions arise, please communicate directly with the undersigned.

Very truly yours,

/s/ Thomas Gutierrez
Counsel for Cavalier Wireless, LLC

Enclosures

cc: Mark Stone



STATE OF MISSISSIPPI
OFFICE OF THE GOVERNOR

HALEY BARBOUR
GOVERNOR

September 20, 2011

Chairman Julius Genachowski
Federal Communications Commission
Room 8-B201
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski:

From the Reagan Administration to the current Administration, our nation has benefited greatly from interoperable spectrum policy across three generations of wireless technology. First generation analog technology and present generation digital technology differ greatly in capacity and modern applications; but, one significant thread runs constantly through the last thirty years of cellular history. It is this -- all previous commercial spectrum deployments and devices flourished as a result of interoperability. The resulting explosion in cellular communication, competition, innovation, investment, productivity and consumer benefits derive in large part from the ability for networks and devices to have maximum connectivity and functionality.

It is my understanding that this successful and proven interoperable policy is currently at risk. The purpose of my letter is to urge the Commission to move forward quickly to find a workable solution on interoperability for the 700 megahertz (MHz) spectrum. As private companies prepare to build and invest in the fourth generation of wireless broadband networks and devices, I urge the Commission to take the following decisive action: 1) help clear adjacent broadcast channels that interfere and encumber the ability to build and deploy new networks and equipment; and 2) complete action on the rulemaking proceeding (RM-11592) for interoperability for the 700 MHz spectrum.

The benefits of a clear sequential path to 700 MHz interoperability are substantial. A first and doable step is to provide an interoperable solution in the lower band of the 700 MHz spectrum. I encourage the use of a single band class in the lower 700 MHz. With that first step, the industry can then begin to work toward interoperability throughout 700 MHz. This action is both technically and economically feasible.

My home state of Mississippi now has one of the best public safety networks in the country. After the horrible disaster of Hurricane Katrina, federal and state funds of more than \$250 million have been contributed to build a 4th generation, LTE network using 700 MHz spectrum. Yet, I fear this network will not be able to realize its full potential in future disasters

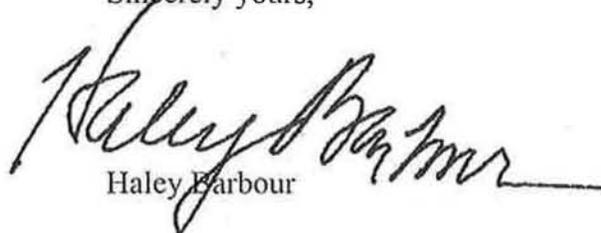
Chairman Julius Genachowski
September 20, 2011
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because of the lack of interoperability with both public and commercial networks. Without interoperability public safety would suffer limited access and higher costs for wireless technology. The lack of interoperability would also threaten the ubiquity of the current 911 wireless capabilities and puts at risk the primary means for citizens and first responders to save lives.

Consumers have come to expect interoperability in their wireless devices and rightly so; this is a reasonable and fair expectation of the public. Consumers have benefited greatly from interoperability, being able to roam from one system to the next, and through different regions of the country and the world with seamless service and coverage.

While the historic and present benefits of interoperability are clear, the cost of inaction and continued regulatory uncertainty is unacceptably high in terms of delayed investment, fewer jobs, lost consumer benefits and diminished public safety. The stakes are high and the time to act is now. I urge you to lead the FCC in taking prompt action to resolve this issue.

Sincerely yours,



Haley Barbour

cc: Commissioner Mignon L. Clyburn
Commissioner Michael J. Copps
Commissioner Robert M. McDowell

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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEB SITE: <http://commerce.senate.gov>

ELLEN DONESKI, STAFF DIRECTOR
BRIAN M. HENDRICKS, REPUBLICAN STAFF DIRECTOR AND GENERAL COUNSEL

July 18, 2011

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Dear Chairman Genachowski:

We are writing to urge you to immediately begin a proceeding to make sure all consumers have access to mobile devices operating on the next-generation networks that use 700 MHz spectrum.

Without action, we are concerned that the wireless market may develop in ways that are contrary to the public interest. First, without interoperability across band classes, some consumers will not have access to the cutting-edge devices being developed to take advantage of the benefits of the next-generation 700 MHz networks. If these new devices work only on certain networks, consumers using other carriers may be saddled with less innovative devices.

Second, if these devices do not work across networks, consumers and public safety users who travel may not be able to roam on other networks and could be left stranded without service. Some first responders may be unable to use their wireless devices in emergencies if the devices are not interoperable with the available commercial networks.

We commend the Commission for beginning to tackle these issues through a recent staff workshop. But we have reached a pivotal point in the development of the 700 MHz networks, and the Commission should take additional action to protect consumers. We

The Honorable Julius Genachowski

July 18, 2011

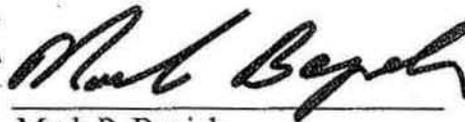
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encourage you to identify the most suitable means to ensure devices being designed for the 700 MHz band can, as swiftly as possible and to the extent technically feasible, benefit all consumers.

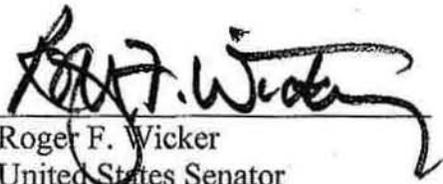
Sincerely,



John D. Rockefeller IV
United States Senator



Mark P. Begich
United States Senator



Roger F. Wicker
United States Senator



Congress of the United States

Washington, DC 20515

November 28, 2011

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
2125 Rayburn Building
Washington, DC 20515

The Honorable Greg Walden
Chairman
Subcommittee on Communication
and Technology
2125 Rayburn Building
Washington, DC 20515

Dear Chairmen Upton and Walden:

We commend your ongoing legislative and oversight efforts addressing the wireless spectrum needs of our nation's consumers and first responders. We are concerned, however, that a continued lack of action by the Federal Communications Commission on the issue of device interoperability within the 700MHz spectrum leaves hundreds of millions of dollars of private investment stranded and keeps hundreds of millions of dollars more sidelined, unable to create jobs and foster economic growth.

Telecommunications issues are complex and controversial. But, one rather simple principle that is often overlooked: wireless spectrum belongs to the public. Spectrum auctions license the use of spectrum, but do not transfer ownership. As such, there will always be a need for public policymakers to protect the public's ownership interest in this important public asset.

Device interoperability has historically been a part of each spectrum allocation used for cellular deployments (e.g., the 850MHz and PCS spectrum) and we believe the FCC assumed that would continue to be the case following the allocation of the 700MHz spectrum. The FCC, however, was wrong. And, the lack of interoperability at 700MHz has led to the development of multiple, distinct subclasses of spectrum within the 700MHz allocation –limiting the ability of wireless users and providers to access the equipment needed to maximize their utilization and, ultimately, the value of the taxpayers' spectrum asset.

The failure of the FCC to resolve the question of 700MHz device interoperability has created market uncertainty that may potentially devalue this public asset. It is definitely keeping smaller wireless carriers – many of whom serve rural and hard to reach communities – from putting their own capital to work creating jobs by building towers and retail locations in new markets throughout the country.

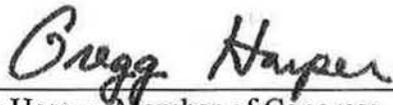
An FCC resolution of the device interoperability issue that satisfies a majority of market competitors would also provide significant fiscal benefits to the nation's taxpayers. Going forward, the continued regulatory uncertainty created by the FCC's inaction may discourage bidders from participating in future spectrum auctions - reducing the revenues that could be generated for the Treasury from those auctions and used to reduce federal debt and deficits.

Moreover, without a resolution of the 700MHz device interoperability issue, large blocks of auctioned spectrum will remain unused or underutilized at a time when our nation's wireless industry - one of the few bright spots in today's economy - has made clear that in order to grow, it needs federal policies to increase, not limit, wireless carriers' and their customers' access to spectrum.

Since February 2010, the FCC has sought and received, in an ongoing regulatory proceeding (RM-11592), substantial comments on the issue of device interoperability at 700MHz. The Commission should immediately end regulatory uncertainty over this issue and bring its proceeding to a close.

We therefore ask that, as part of your Committee's work on spectrum policy, you consider this issue closely and urge the FCC to resolve quickly any pending proceeding affecting device interoperability within the 700MHz spectrum.

Sincerely,



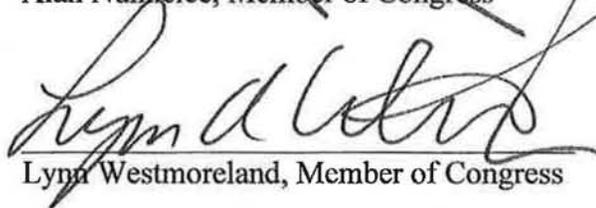
Gregg Harper, Member of Congress



Alan Nunnelee, Member of Congress



Phil Roe, Member of Congress



Lynn Westmoreland, Member of Congress



Don Young, Member of Congress

cc: Julius Genachowski
Chairman, Federal Communications Commission