



The Competitive Carriers Association

Rural Cellular Association

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April 24, 2012

Via ECFS

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

**Re: WT Docket No. 12-69
RM-11592**

Dear Ms. Dortch:

On April 20, 2012, Steven Berry, Tim Donovan and I met with Jim Schlichting, Susan Singer, Nese Guendelsberger, Brenda Boykin and Tom Peters to discuss the Commission's Interoperability Notice of Proposed Rulemaking (NPRM).¹ RCA continues to believe that the FCC should impose an interoperability mandate on the Lower 700 MHz spectrum. Despite extensive RCA member efforts to deploy on the Lower 700 MHz A Block spectrum, the lack of interoperability in the Lower 700 MHz band remains an intractable problem. It remains clear that voluntary industry efforts are insufficient, and that prompt Commission action is necessary.

As discussed, the Commission has the broad legal authority to impose an interoperability mandate.² The Commission can require all wireless licensees operating in the Lower 700 MHz band to conduct their operations in a manner that ensures interoperability, such as requiring licensees in the A, B, & C Blocks to employ devices that operate in Band Class 12. It can adopt a spectrum license condition, and can take whatever steps necessary to address and mitigate any interference concerns. While the Commission should adopt an interoperability requirement and set a certain date for compliance, the FCC should implement procedures that will enable the industry to work together to find technical solutions to the interoperability problem with sufficient Commission involvement and oversight to correct the marketplace distortions caused by AT&T and Verizon's exercise of market power.

When asked about interference concerns, RCA discussed possible industry solutions to resolving the dispute over real and perceived interference from Channel 51 broadcasters. However, RCA stressed that Channel 51 interference does not prevent Lower 700 MHz A Block licensees from building out. Lack of interoperability in the Lower 700 MHz spectrum, the result of AT&T's post-auction actions, is the sole reason why Lower A Block licensees cannot build out.

¹ Promoting Interoperability in the 700 MHz Commercial Spectrum, Notice of Proposed Rulemaking, WT Docket No. 12-69 (rel. Mar. 21, 2012).

² 47 U.S.C. §§ 303(b), 303(g), 303(r), 316.

This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's Rules.

Sincerely,

/s/

Rebecca Murphy Thompson
General Counsel

cc: Jim Schlichting
Susan Singer
Nese Guendelsberger
Brenda Boykin
Tom Peters