

June 6, 2012

**Ex Parte**

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

Re: *Connect America Fund*, WC Docket NO. 10-90; *Windy City Cellular Petition for Waiver*, WT Docket No. 10-208

Dear Ms. Dortch:

On June 4, 2012, Megan Delany and Chris Nierman of General Communication, Inc. (“GCI”), and John Nakahata of Wiltshire & Grannis LLP, on behalf of GCI, met with Carol Matthey, Amy Bender, Patrick Halley, Soumitra Das, and Gary Seigel of the Wireline Competition Bureau; Margaret Wiener, Sue McNeil, Mark Rossetti, and Pramesh Jobanputra of the Wireless Telecommunications Bureau; and Jonathan Chambers of the Office of Strategic Planning and Policy Analysis regarding Windy City Cellular’s Petition for Waiver (“WCC Petition”)<sup>1</sup> of the Commission’s annual \$3,000 per-line cap on high-cost support received by a competitive eligible telecommunications carrier (“CETC”).<sup>2</sup>

During this meeting, we discussed many of the points contained in the comments that GCI filed in this proceeding.<sup>3</sup> In particular, we reiterated the need for the Commission, should it decide to grant WCC’s waiver, to increase the Remote Alaska cap by a commensurate amount. WCC has asserted that such issues “are outside the scope of WCC’s Petition.”<sup>4</sup> GCI strongly disagrees. All requests for waiver must satisfy a public interest test, which is not narrowly constrained.<sup>5</sup> Any waiver that allows WCC to collect more than \$3,000 per line per year, without also raising the Remote Alaska cap, would necessarily sap support from other parts of

---

<sup>1</sup> See Petition of Windy City Cellular, LLC, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, CC Docket Nos. 01-92, 96-45, WT Docket No. 10-208, and GN Docket No. 09-51 (filed Apr. 18, 2012)

<sup>2</sup> See 47 C.F.R. § 54.307(e).

<sup>3</sup> See Comments of General Communication, Inc., WC Docket No. 10-90, WT Docket No. 10-208 (filed May 14, 2012).

<sup>4</sup> Reply Comments of Windy City Cellular, LLC, at 2, WC Docket Nos. 10-90 et al, (filed May 24, 2012).

<sup>5</sup> See *WAIT Radio v. FCC*, 418 F.2d 1153 (D.C. Cir. 1969).

Ms. Marlene H. Dortch

June 6, 2012

Page 2 of 2

Remote Alaska. Considering that GCI, subject to the annual per-line limit, covers nearly all of WCC's customers in Adak, such a misallocation of scarce universal service resources would undermine the Commission's reform efforts and would contradict the public interest. GCI operates its wireless service in Adak with high cost universal service support calculated based on \$250 per line per month, adjusted downward for compliance with the Remote Alaska cap. GCI has no plans to discontinue its wireless service in Adak.

\* \* \*

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John T. Nakahata". The signature is fluid and cursive, with a prominent initial "J" and "N".

John T. Nakahata

*Counsel to General Communication Inc.*

cc: Patrick Halley  
Carol Matthey  
Amy Bender  
Jonathan Chambers  
Soumitra Das  
Pramesh Jobanputra  
Sue McNeil  
Mark Rossetti  
Gary Seigel  
Margaret Wiener