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November 30, 2012

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

Re: WC Docket No. 10-90, 05-337
GN Docket No. 09-51
CC Docket No. 96-45
WT Docket No. 05-265 and 10-208

Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this is to provide you with notice of four oral ex parte presentations in connection with the above-captioned proceedings. On November 28, 2012, Andrew Newell of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless ("Viaero") and undersigned counsel met with Priscilla Argeris in Commissioner Rosenworcel's office, Nicholas Degani in Commissioner Pai's office, Angela Kronenberg in Commissioner Clyburn's office, and James Schlichting, Margaret Wiener, Jane Jackson, and Erik Salovaara in the Wireless Telecommunications Bureau.

We discussed some of the lessons learned by applicants in the recently conducted Auction 901. Viaero noted that the time between the public notice announcing the census tracts available for bid and the short-form filing deadline was short, making it difficult to conduct initial due diligence on hundreds of tracts. Moreover, the time between the public notice following the auction and the long-form filing deadline was also short, making it difficult to put together build plans and budgets once auction results were learned.

Viaero also mentioned that the letter of credit requirement was a significant burden for small business because obtaining a commitment letter required as much due diligence as obtaining the letter of credit. Without an existing facility with sufficient available credit, Viaero would probably not have had time to refinance. Alternatives to the letter of credit requirement should be explored.

Viaero also discussed difficulties it is having with automatic data roaming. Large carriers are restricting their subscribers from roaming on Viaero's network, even when Viaero has the only available network in a particular area. In addition, carriers are throttling data speeds of roamers using Viaero's service area, degrading their service. These actions nullify the Commission's requirement that carriers provide automatic data roaming so that consumers can

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use their smart phones to access high-quality and advanced services wherever compatible network signal is available.

If you have any questions or require any additional information, please contact undersigned counsel directly.

Sincerely,



David A. LaFuria
Counsel for N.E. Colorado Cellular

cc: Priscilla Argeris
Nicholas Degani
Angela Kronenberg
James Schlichting
Margaret Wiener
Jane Jackson
Erik Salovaara