



June 21, 2013

1300 I Street, NW, Suite 400 West  
Washington, DC 20005

Phone 202 515-2540  
Fax 202 336-7922  
tamara.preiss@verizon.com

**Ex Parte**

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

**Re: Applications of Cellco Partnership d/b/a Verizon Wireless and SpectrumCo LLC and Cox TMI, LLC for Consent to Assign AWS-1 Licenses, WT Docket Nos. 12-4, 12-175**

Dear Ms. Dortch:

On June 19, 2013, John T. Scott, Katharine R. Saunders, and I, on behalf of Cellco Partnership d/b/a/ Verizon Wireless (“Verizon Wireless”), met with William Richardson, Neil Dellar, and Joel Rabinovitz, of the Office of General Counsel, and with David Krech, Kate Collins, and Troy Tanner, of the International Bureau, to discuss NTCH’s pending Petition for Reconsideration, as well as the arguments presented in Verizon Wireless’s October 10, 2012 Opposition to the Petition.<sup>1</sup> Our presentation was consistent with the points made in the *Opposition*.

In particular, we explained that NTCH fails to raise any substantive objection to the nature of Verizon Wireless’s foreign ownership. We also explained that, in any event, the indirect foreign ownership interest in Verizon Wireless long held by Vodafone Group Plc. (“Vodafone”) has been repeatedly reviewed and approved by the Commission in multiple transactions approving Verizon Wireless’s acquisition of various licenses. Those determinations are final and unappealable.

We also noted the flaws in NTCH’s arguments that the *SpectrumCo Order*,<sup>2</sup> which the Commission adopted on August 21, 2012, and released on August 23, 2012, was procedurally invalid based on its reference to the Commission’s August 17, 2012, foreign ownership

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<sup>1</sup> See *Applications of Cellco Partnership d/b/a Verizon Wireless and SpectrumCo LLC and Cox TMI, LLC for Consent to Assign AWS-1 Licenses*, WT Docket Nos. 12-4, 12-175, ULS File Nos. 0004942973, 0004942992, 0004952444, 0004949596, and 0004949598, Verizon Wireless’s Opposition to Petition for Reconsideration (filed Oct. 10, 2012)(“*Opposition*”).

<sup>2</sup> *Applications of Cellco Partnership d/b/a Verizon Wireless and SpectrumCo LLC and Cox TMI, LLC for Consent to Assign AWS-1 Licenses*, WT Docket Nos. 12-4, 12-175, ULS File Nos. 0004942973, 0004942992, 0004952444, 0004949596, and 0004949598, Memorandum Opinion and Order and Declaratory Ruling, 27 FCC Rcd 10698 (2012)(“*SpectrumCo Order*”).

*Forbearance Order*.<sup>3</sup> First, the Commission permissibly relied on the “approach” set forth in the August 17 *Forbearance Order*,<sup>4</sup> because the *SpectrumCo Order* did not take effect until its release on August 23, the day *after* the August 17 *Forbearance Order* was published in the Federal Register. Moreover, as we explained in our *Opposition*,<sup>5</sup> the Commission properly followed the “approach” of the *Forbearance Order* in the *SpectrumCo Order*, by explaining why forbearance was appropriate.

Pursuant to Section 1.1206(b)(2) of the Commission’s rules, an electronic copy of the letter is being filed for inclusion in the above-referenced docket. Should you have any questions, please contact the undersigned.

Sincerely,



cc: (via e-mail)

Bill Richardson  
Neil Dellar

Joel Rabinovitz  
Troy Tanner

David Krech  
Kate Collins

(via US Mail)

Donald J. Evans  
Fletcher, Heald & Hildreth, PLC  
1300 North 17<sup>th</sup> Street, 11<sup>th</sup> Floor  
Arlington, VA 22209  
*Counsel for NTCH*

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<sup>3</sup> *Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licenses under Section 310(b)(4) of the Communications Act of 1934, as Amended*, IB Docket No. 11-133, First Report and Order, 27 FCC Rcd 9832 (2012) (“*Forbearance Order*”).

<sup>4</sup> *See SpectrumCo Order*, 27 FCC Rcd at 10766-67 (para. 175).

<sup>5</sup> *Opposition* at 4-6.