

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC

In the Matter of	)	
Petition of NTUA WIRELESS, LLC	)	
for Designation as an Eligible	)	
Telecommunications Carrier pursuant	)	WC Docket No. 09-197
to Section 214(e)(6) of the	)	
Communications Act of 1934, as	)	
Amended	)	
	)	
Tribal Mobility Fund Phase I Auction	)	AU Docket No. 13-53

***EX PARTE* COMMENTS OF THE  
NAVAJO NATION TELECOMMUNICATIONS REGULATORY COMMISSION  
(NNTRC)**

Pursuant to the Commission's *ex parte* rules (47 C.F.R. §1.1206), the Navajo Nation Telecommunications Regulatory Commission (“NNTRC”), through undersigned counsel, submits these *Ex Parte* Comments related to the above-referenced request by NTUA Wireless, LLC, to be deemed an Eligible Communications Carrier (ETC) on the Navajo Nation.

Attached hereto is the Certificate of Eligibility, issued December 30, 2013, by the Navajo Nation Business Regulatory Department, Division of Economic Development, deeming NTUA Wireless to be a Navajo owned business for purposes of the Navajo Business Opportunity Act. By issuing the Certificate of Eligibility, the Business Regulatory Department has reviewed the application of NTUA Wireless and concluded that it has met the standards under Navajo Nation Law to qualify as a Navajo owned business, based on the 51 percent interest in NTUA Wireless held by NTUA, a Navajo Enterprise.

With the issuance of this Certificate of Eligibility, NTUA Wireless has been granted a Priority #2 for purposes of government contracting and for other purposes under the Navajo

Nation Business Opportunity Act, Title 5, Chapter 2 – Section 201-215. Priority #2 is afforded as follows:

Certification shall be granted to any 51% to 99% Navajo or 51% to 100% other Indian owned and controlled business or 100% Navajo Nation owned and controlled economic enterprise having its principal place of business on or off the Navajo Nation.

NNTRC submits this Certificate to the extent that there have been questions raised in this proceeding as to the ownership structure of NTUA Wireless, and the impact of such structure under Navajo Nation Law. NNTRC will engage with NTUA Wireless on issues of interest to the Navajo People pursuant to the Tribal Engagement Provisions of the *USF/ICC Transformational Order*.<sup>1</sup>

Respectfully submitted,

**NAVAJO NATION TELECOMMUNICATIONS  
REGULATORY COMMISSION**

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Dated: January 14, 2014

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<sup>1</sup> *Connect America Fund, et al., Report and Order and Further Notice of Proposed Rulemaking*, 26 FCC 17663 ¶ 637 (2011) (“USF/ICC Transformation Order”).