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March 21, 2014

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Request to Remove National Security Condition in:

Applications of Vodafone AirTouch, Plc and Bell Atlantic Corporation, File Nos. 0000032969, et al., DA 99-2451

Applications of Cellco Partnership and Rural Cellular Corporation for Consent to Transfer of Control, WT Docket No. 07-208

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 No. 12-4

Dear Ms. Dortch:

Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”) respectfully requests that the Commission remove as moot the condition imposed in the referenced proceedings requiring compliance with a national security agreement entered into with the U.S. Department of Defense, U.S. Department of Justice, the Federal Bureau of Investigation, and the U.S. Department of Homeland Security.¹ In light of Verizon’s acquisition of the 45 percent interest in Verizon Wireless previously held by Vodafone Group Plc (“Vodafone”), the federal agencies that are a party to the agreement have determined that it may be terminated.

¹ The agreement, entitled “DOD/DOJ/FBI Agreement,” was executed in March 2000 among the Department of Defense, the Department of Justice, the Federal Bureau of Investigation, Verizon Wireless, Vodafone Group Plc, and Bell Atlantic Corporation. In 2008, the Department of Homeland Security was added as a party. See March 27, 2008 Letter from Steven Zipperstein, Verizon Wireless, to Stewart Baker, U.S. Department of Homeland Security, *available at* Petition to Adopt Conditions to Authorizations And Licenses, *Rural Cellular Corp., Transferor and Cellco Partnership d/b/a Verizon Wireless, Transferee, for Consent to the Transfer of Control of Commission Licenses and Authorizations Pursuant to Sections 214 and 310(d) of the Communications Act*, WT Docket No. 07-208, at Exhibit 1 (April 2, 2008) (“Letter Agreement”).

By way of background, the national security agreement at issue was executed in March 2000 at the time of the formation of Verizon Wireless. The agreement was expressly premised on the fact that a single foreign entity, Vodafone, would hold a 45 percent indirect ownership interest in Verizon Wireless. The federal parties to the agreement asked the Commission to condition its approval of license transfers to the then-newly formed Verizon Wireless on compliance with that agreement. As the Commission explained at the time, “In fulfilling our public interest mandate, we take into account the record and afford the appropriate level of deference to Executive Branch expertise on national security and law enforcement issues. We recognize that, separate from our licensing process, the applicants have entered into a voluntary agreement with the DOD, DOD, and FBI, and that this agreement expressly states that the DOD, DOJ, and FBI will not object to grant of the pending Applications provides that the Commission approves the agreement and conditions grant of the Applications on compliance with it.”² The Commission thus imposed a condition requiring Verizon Wireless to comply with that agreement.³

The Commission also imposed the condition in a pair of orders since. In the 2008 application proceeding involving the transfer of licenses held by Rural Cellular Corporation to Verizon Wireless, the Commission imposed a similar condition.⁴ As noted above, earlier that year, in the Letter Agreement, Verizon Wireless had agreed to add the Department of Homeland Security as a party and reaffirmed its obligations under the agreement.⁵ The federal agencies asked the Commission to condition its approval of the applications on the commitments in that letter, and the Commission accordingly adopted such a condition.⁶ Most recently, in the 2013 application proceeding involving the transfer of licenses held by Spectrum Co and Cox to Verizon Wireless, the Commission adopted a virtually identical condition.⁷

On February 21, 2014, however, Verizon Communications Inc. (“Verizon”) acquired Vodafone’s entire 45 percent interest, and Verizon Wireless is now owned 100 percent by Verizon. In addition, the stock of Verizon is held by a widely dispersed body of shareholders, and no single foreign shareholder owns more than five percent of its stock. As a result, the basis for the national security agreement is moot, and the federal agencies have agreed to terminate it.

² *In re Applications of Vodafone Airtouch, PLC, and Bell Atlantic Corp. for Consent to Transfer of Control or Assignment of Licenses and Authorizations*, Memorandum Opinion and Order, 15 FCC Rcd 16507, ¶ 36 (2000). A copy of the agreement was attached as an Appendix to this order.

³ *See id.*, ¶ 41.

⁴ *See Applications of Cellco Partnership d/b/a Verizon Wireless and Rural Cellular Corporation For Consent To Transfer Control of Licenses, Authorizations, and Spectrum Manager Leases and Petitions for Declaratory Ruling that the Transaction Is Consistent with Section 310(b)(4) of the Communications Act*, Memorandum Opinion and Order and Declaratory Ruling, 23 FCC Rcd 12,463, ¶¶ 151-154 (2008) (“2008 RCC Order”).

⁵ *See Letter Agreement, supra.*

⁶ *See 2008 RCC Order*, ¶ 159.

⁷ *Applications of Cellco Partnership d/b/a Verizon Wireless and SpectrumCo LLC and Cox TMI, LLC for Consent to Assign AWS-1 Licenses, et al.*, Memorandum Opinion and Order and Declaratory Ruling, 27 FCC Rcd 10698, ¶ 191 (2012).

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For the above reasons, the Commission should promptly remove the national security condition on its approval of these transactions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Katharine Saunders", with a long horizontal flourish extending to the right.

Katharine R. Saunders

cc: Mindel de la Torre, Chief, International Bureau
Roger Sherman, Chief, Wireless Telecommunications Bureau
John Carlin, Assistant Attorney General, DOJ
Mr. David Heyman, Assistant Secretary for Policy, DHS
Mr. Robert S. Gorman, General Counsel, DISA