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April 17, 2014

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; GN Docket No. 09-51  
WC Docket No. 05-337; CC Docket No. 96-45

Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, we hereby provide you with notice of an oral ex parte presentation in connection with the above-captioned proceedings. On April 15, 2014, Julia Tanner and undersigned counsel, on behalf of MTPCS, LLC, met with Carol Matthey, Margaret Wiener and Audra Hale-Maddox to discuss several aspects of the Connect America Fund item scheduled to be adopted at the upcoming April 23 meeting.

We discussed the continuing need for support in rural areas to continue building mobile wireless networks, and to maintain facilities constructed with support in remote areas that would not otherwise be maintained but for carriers being able to receive some support. In many areas, the cost of maintaining towers built with support exceeds the revenues being generated, necessitating some form of Mobility Fund Phase II support to keep them operating. We also noted that a robust Mobility Fund Phase II will result in significant public safety benefits in remote rural areas.

We also urged the FCC to seek comment on immediately removing the Right of First Refusal (RoFR) for price cap carriers. As set forth in the CAF Order, a price cap carrier is permitted to use CAF support to build a subsidized 4G network in areas where other wireless carriers are attempting to compete. Worse yet, support to build 4G will be provided based on the cost of building a wireline network. There is no valid public policy reason why a price cap carrier should be permitted to completely block competition for five years, while building a subsidized wireless network that competes against smaller independent carriers. To retain a

Hon. Marlene H. Dortch

April 17, 2014

Page 2

monopoly on support for five years fundamentally violates Chairman Wheeler's mantra of "competition, competition, competition."

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David LaFuria".

David LaFuria  
Counsel for MTPCS, LLC

cc: Carol Matthey  
Margaret Wiener  
Audra Hale-Maddox  
Julia Tanner