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May 26, 2011

VIA ELECTRONIC FILING

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

Re: Notice of Oral *Ex Parte* Communication:
RM No. 11592 – Petition for Rulemaking Regarding 700 MHz Band Mobile
Equipment Design and Procurement Practices
WT Docket No. 11-18 – Applications of AT&T Mobility Spectrum LLC and
Qualcomm Incorporated for Consent to Assign Lower 700 MHz Band Licenses
WC Docket No. 05-337 – High Cost Universal Service Support

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, we hereby provide you with notice of an oral *ex parte* presentation in connection with the above-referenced proceedings. The presentation occurred on May 25, 2011 in a meeting with Ruth Milkman, Chief, Wireless Telecommunications Bureau and the following staff of the same Bureau: Paul Murray, Tom Peters, Nicole McGinnis and Nese Guendelsberger.

Attending the meeting on behalf of Cellular South, Inc. ("Cellular South") were Eric Graham, the company's Vice President, Strategic and Government Relations; Ben Moncrief, the company's Manager of Public Policy; Kevin Joseph, legislative consultant; and David Nace, attorney for Cellular South.

Attending the meeting on behalf of King Street Wireless, L.P. ("King Street") were Allison Cryor DiNardo, the company's President, and Tom Gutierrez, attorney for King Street.

Cellular South and King Street are members of the "700 MHz Block A Good Faith Purchasers Alliance" ("Alliance")¹ that petitioned the Commission in September 2009 to

¹ The Alliance is a joint venture consisting of Cellular South Licenses, Inc.; Cavalier Wireless, LLC; Continuum 700, LLC; and King Street Wireless, L.P., each of which is a licensee of Lower 700 MHz Band Block A spectrum.

require that mobile devices for the 700 MHz bands be capable of operating on all paired frequency blocks in the 700 MHz bands, and that equipment authorization be suspended until rules to this effect are in place.² Now that comments have been received on that petition it is requested that the Commission issue a rulemaking notice promptly to assure that devices have capability to operate on frequency blocks licensed to other carriers with compatible networks in the Lower and Upper 700 MHz bands, including public safety spectrum.

Both Cellular South and King Street urge the Commission not to grant the applications for assignment of 700 MHz licenses from Qualcomm to AT&T without conditions that preclude anticompetitive 700 MHz equipment design and procurement practices, or which exclude Lower 700 MHz Band, Frequency Block A capability in LTE wireless devices that it offers to subscribers. Specifically, AT&T should be required to support Band Class 12 wireless devices, not Band Class 17 devices.

Finally, Cellular South commented on aspects of proposed Universal Service reform that would jeopardize the continued provision of wireless services to some rural areas currently served by Cellular South as the result of High Cost support that is received.

Sincerely,



David L. Nace



Thomas Gutierrez

cc: Ruth Milkman (by email)
Paul Murray (by email)
Tom Peters (by email)
Nicole McGinnis (by email)
Nese Guendelsberger (by email)
Best Copy and Printing, Inc. (by email)

² Petition for Rulemaking Regarding the Need for 700 MHz Mobile Equipment To Be Capable of Operating on All Paired Commercial 700 MHz Frequency Blocks, RM No. 11592, filed Sept. 29, 2009.