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August 21, 2012

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Mr. Rick Kaplan
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Re: Consolidated Review of Verizon Wireless, *et al.*
Transactions, WT Docket Nos. 12-4 and 12-175,
ULS File Nos. 0004942973, *et al.*

Dear Mr. Kaplan:

This letter responds, on behalf of NTCH, Inc., to the recent voluntary commitment by Verizon Wireless to make certain roaming arrangements available to competing carriers. As the record in this proceeding demonstrates, competing CDMA carriers have consistently been unable to reach fair and non-discriminatory roaming agreements with Verizon Wireless. Because Verizon so dominates the CDMA market, it is essential for competing carriers to have access to reasonable roaming rates if they are to be able to compete in the much more limited geographic areas where these carriers typically operate. Verizon is vigorously challenging in Court the Commission's rules that impose even modest data roaming obligations on it, while at the same time offering voice roaming rates that are so high as to be effectively useless. The proposed spectrum acquisitions in this Docket will, all agree, further entrench AT&T and further limit the potential for added competition in the national market.

Against this backdrop, Verizon's time-limited, geographically-limited and severely hedged commitment to allow data roaming should not be accepted by the Commission as any solution at all to the roaming crisis. Not only is the commitment of limited scope, but its offer to permit roaming on "commercially reasonable" terms renders the commitment worthless. As NTCH and others have pointed

Mr. Rick Kaplan

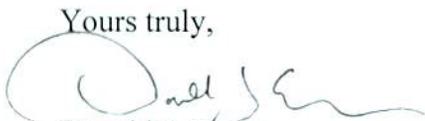
August 21, 2012

Page 2

out, what is reasonable in Verizon's view (rates several thousand percent higher than its costs) is outrageous by any other commercial or economic metric. In the absence of Commission standards in this regard, the only avenue of challenge by a carrier is a carrier by carrier complaint process which would be crushingly expensive for any individual carrier to undertake.

In order to make Verizon's commitment meaningful and in order to loosen the chokehold that Verizon now has on the CDMA industry, the Commission must impose standards for what constitutes "reasonable" in this context. NTCH has suggested using Verizon's own wholesale prepaid rate as a benchmark.¹ Other carriers like MetroPCS have suggested other similar measures. NTCH urges the Commission not to accept Verizon's empty commitment as a substitute for real and much needed reform of this crucial competitive element.

Yours truly,



Donald J. Evans

DJE:deb

cc: Commissioner Mignon Clyburn
Commissioner Robert McDowell
Commissioner Ajit Pai
Commissioner Jessica Rosenworcel

¹ See NTCH, Inc.'s February 21, 2012 Petition to Deny in this Docket.