

RURAL TELECOMMUNICATIONS GROUP

advocate of rural wireless telecommunications providers

1000 Vermont Avenue, NW, 10th Floor
Washington, DC 20005

MEMORANDUM

To: Magalie Roman Salas, Secretary
Federal Communications Commission

From: Caressa D. Bennet, General Counsel
Kenneth C. Johnson, Director – Legislative and Regulatory Affairs

Date: December 11, 2000

Re: *Ex Parte* Presentation – December 8, 2000

In re Principles for Promoting the Efficient Use of Spectrum by Encouraging the Development of Secondary Markets, WT Docket No. 00-230, Notice of Proposed Rulemaking

In re Wireless Telecommunications Bureau Seeks Comment on Petition for Declaratory Ruling that Western Wireless' Basic Universal Service in Kansas Is Subject to Regulation as a Local Exchange Service, DA 00-2622, Public Notice

On December 8, 2000, Caressa D. Bennet and Kenneth C. Johnson of Bennet & Bennet, PLLC, representing the Rural Telecommunications Group (RTG), participated in a telephone conference meeting with William Kunze, Paul Murray, and Rose Crellin of the Federal Communications Commission's (FCC) Wireless Telecommunications Bureau concerning the development of secondary markets for spectrum and the regulation of commercial mobile radio services (CMRS). Also participating in the meeting were RTG members Melvin Munn and Sharon Hurley representing People's Cellular, and Mark Rutherford representing Colorado Valley Telephone Cooperative.

RTG applauded the efficiency by which the FCC was able to develop a rulemaking on the promotion of secondary markets. Caressa Bennet and Paul Murray discussed the dilemma of deciding what sort of standard could replace *Intermountain* in light of the FCC's need to continue to have regulatory oversight over spectrum. While RTG did not have a specific standard in mind, it promised to look into the FCC's need to have some entity ultimately responsible for following the FCC's spectrum rules.

With regard to the Kansas petition, RTG told the FCC that it was still developing a position on the matter. On the one hand, RTG expressed concern about the possibility of an additional layer of regulation. On the other hand, RTG noted that local exchange carrier regulations are not necessarily

negative as the petition presupposes. For example, RTG

questioned whether the Kansas group who filed the petition would want potential rural wireless competitors to have the regulatory benefit enjoyed by monopoly rural local exchange carriers such as a guaranteed rate-of-return of 11.25 percent since rural wireless competitors would be considered rural local exchange carriers as advocated by the Kansas group. RTG stated that it expected to weigh in on the matter during the comment cycle.

If you have any questions regarding this filing, please contact me at (202) 371-1500.

Sincerely,

/s/

Caressa D. Bennet
General Counsel, Rural Telecommunications Group

cc: William Kunze
Paul Murray
Rose Crellin