

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Application of Cellco Partnership d/b/a)	WT Docket No. 12-4
Verizon Wireless and SpectrumCo LLC)	
for Consent to Assign Licenses)	
)	
Application of Cellco Partnership d/b/a)	
Verizon Wireless and Cox TMI Wireless,)	
LLC for Consent to Assign Licenses)	

**PETITION TO DENY OF MEMBERS OF THE RURAL BROADBAND POLICY
GROUP: CENTER FOR RURAL STRATEGIES, ACCESS HUMBOLDT,
VIRGINIA RURAL HEALTH ASSOCIATION, VIRGINIA RURAL HEALTH
RESOURCE CENTER, HIGHLANDER RESEARCH AND EDUCATION
CENTER, MAIN STREET PROJECT, AND PARTNERSHIP OF AFRICAN
AMERICAN CHURCHES**

Edyael Casaperalta
Programs & Research Assoc.
Center for Rural Strategies
46 East Main Street
Whitesburg, KY
(956) 457-6126

February 21, 2011

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Application of Cellco Partnership d/b/a Verizon Wireless and SpectrumCo LLC for Consent to Assign Licenses)	WT Docket No. 12-4
)	
Application of Cellco Partnership d/b/a Verizon Wireless and Cox TMI Wireless, LLC for Consent to Assign Licenses)	

**PETITION TO DENY
OF MEMBERS OF THE RURAL BROADBAND POLICY GROUP**

To: The Federal Communications Commission

Members of the Rural Broadband Policy Group¹ (RBPG) respectfully submit this petition to deny the proposed transaction wherein the nation’s largest wireless carrier, Cellco Partnership d/b/a Verizon Wireless, seeks to obtain Advanced Wireless Services licenses from SpectrumCo, LLC, owned by a group of the nation’s largest cable MSOs (Comcast Corporation, Time Warner Cable, and Bright House Networks, LLC), and from Cox TMI Wireless, LLC, a subsidiary of cable MSO Cox Communications, Inc.

RBPG is concerned about the transaction’s impact on competition, including the loss of potential new competitors in the wireless marketplace, and specifically the impact it would have on limiting the ability of rural wireless providers to operate. Lack of competition hurts rural consumers, and lack of access to spectrum is a major hurdle that sets rural providers at a disadvantage to enter the market place. The Rural Broadband Policy Group opposes transactions that limit the opportunities for rural providers to serve our communities. The impact of such transactions would disproportionately harm rural and remote populations who are currently among the least served by communication utilities.

Respectfully submitted,

Edyael Casaperalta
Programs & Research Assoc.
Center for Rural Strategies
46 East Main Street
Whitesburg, KY
(956) 457-6126

February 21, 2011

Background

On December 2, 2011, SpectrumCo -- a joint venture between Comcast, Time Warner Cable, and Bright House Networks -- announced it has entered into an agreement pursuant to which Verizon Wireless will acquire its 122 Advanced Wireless Services spectrum licenses for \$3.6 billion. Comcast owns 63.6% of SpectrumCo and will receive approximately \$2.3 billion from the sale. Time Warner Cable owns 31.2% of SpectrumCo and will receive approximately \$1.1 billion. Bright House Networks owns 5.3% of SpectrumCo and will receive approximately \$189 million.

The companies also announced that they have entered into several agreements, providing for the sale of various products and services. Through these agreements, the cable companies, on the one hand, and Verizon Wireless, on the other, will become agents to sell one another's products and, over time, the cable companies will have the option of selling Verizon Wireless' service on a wholesale basis.

Comcast and Time Warner Cable, the two largest US cable companies, now have the nation's leading wireless provider as a partner. The result is a reshaped competitive landscape where cable and telecoms companies will be competing in some markets, but co-operating just miles away. RBPG is concerned that tribal, rural, and low-income consumers will not fare well in a reshaped wireless landscape that may prove to be less competitive.

Need for Competition in the Rural Wireless Marketplace

Fast, reliable, and affordable Internet service is no longer a luxury, but a necessity. Yet, rural areas are more likely to lack broadband access than the rest of the nation. A 2010 study by the Pew Internet & American Life Project shows that only half of rural residents have broadband in the home, compared to the national rate of 66 percent.

One of the unique challenges rural communities face in obtaining broadband service is access. Big telecommunications corporations have frequently argued that insufficient demand exists to justify investment in infrastructure and coverage, and cited insufficient profitability. Due to this negligence, rural residents are missing out on opportunities for education, telemedicine, economic development, and civic participation.

As such, we feel compelled to voice our concern over the negative long-term impact that the Spectrum Co.-Verizon transaction would have on the digital future of rural, tribal, and low-income communities. Rural people simply cannot remain at the outskirts of our society because no one is providing service. And when a rural provider comes forth to fill the gap, they simply cannot be kept from competing.

The Rural Broadband Policy Group (RBPG) opposes transactions that limit the opportunities for rural wireless providers to serve our communities. This transaction would make it more difficult for small rural providers to compete against the bottomless

pockets of big wireless companies for access to spectrum. In addition, if the transaction were approved, it would diminish the partnering options for smaller rural providers. Ultimately, we anticipate that the strain on competition that this transaction would cause would force smaller rural providers to go out of business. The impact of such a transaction would disproportionately harm rural and remote populations who are currently among the least served by communication utilities. Further consolidation within the wireless industry would result in less competition, and less consumer choice.

Instead of depending on big corporations, RBPG supports decisions that encourage local ownership; support community-based broadband networks; and invest in the sustainable future of our communities. We believe that focusing on the principle of “Local Ownership and Investment in Community” has more long-term benefits than a decision focused on the largest telecom companies.

We respectfully encourage you to help us support the digital future of rural, tribal, and low-income communities by denying this transaction based on its potential detrimental impact on competition and the disadvantages it would force on our communities.

ⁱ The Rural Broadband Policy Group is a growing national coalition of rural broadband advocates with two goals: 1) to articulate national broadband policies that provide opportunities for rural communities to participate fully in the nation’s democracy, economy, culture, and society, and 2) to spark collaboration among rural advocates for fast, affordable, and reliable Internet. To learn more about the Rural Broadband Policy Group, please contact Edyael Casaperalta at edyael@ruralstrategies.org, and visit us at: <http://www.ruralassembly.org/working-groups/broadband>