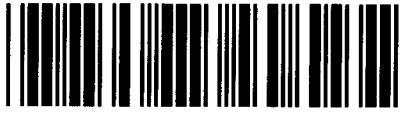




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# FOSTERLAW

Mark Foster  
Board Certified Administrative Law  
Texas Board of Legal Specialization

707 West Tenth Street  
Austin, Texas 78701  
(512) 708-8700  
Fax (512) 697-0058  
[www.mfosterlaw.com](http://www.mfosterlaw.com)

Writers' Email:  
[mark@mfosterlaw.com](mailto:mark@mfosterlaw.com)

July 11, 2012

VIA HAND DELIVERY

Chairman Donna L. Nelson  
Commissioner Kenneth W. Anderson, Jr.  
Commissioner Rolando Pablos  
Public Utility Commission of Texas  
1701 N. Congress Avenue, 7<sup>th</sup> Floor  
Austin, TX 78701

12 JUL 11 PM 3:20  
FILED  
PUBLIC UTILITY COMMISSION

RE: Docket No. 40528 – *Eligible Telecommunications Carrier Designation for a Wireless Reseller.*

Honorable Chairman and Commissioners:

I write to express my agreement with the comments offered by Susan Gentz in her letter of July 9, 2012 – action on the proposal to adopt an order declining to handle future ETC applications submitted by wireless resellers should be postponed. The proposed action impacts innumerable interested parties, who have not been afforded an opportunity to consider and respond to the potential impact. The proper method of handling such a proposal is through a formal rulemaking proceeding. Only in this way can the perspectives and input of impacted parties be appropriately considered and taken into account.

A decision by the Commission ordering a blanket exception to existing rules affects the wireless industry and consumers. Respectfully, I urge the commissioners to delay consideration and follow rulemaking processes.

Very truly yours,



Mark Foster

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