



601 Pennsylvania Ave., NW
Suite 800
Washington, DC 20004

January 24, 2019

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Notice of Oral Ex Parte Communication*

MB Docket No. 18-214, *LPTV, TV Translator, and FM Broadcast Station
Reimbursement*

GN Docket No. 12-268, *Expanding the Economic and Innovation Opportunities of
Spectrum Through Incentive Auctions.*

Dear Ms. Dortch:

On January 22, 2019, Chris Wieczorek of T-Mobile USA, Inc. (“T-Mobile”),¹ Howard Symons of Jenner & Block LLP, and the undersigned met with Jean Kiddoo and Hillary DeNigro of the Incentive Auction Task Force, and Joyce Bernstein of the Media Bureau regarding the above-referenced dockets. Barbara Kreisman, Pam Gallant, and Kim Matthews of the Media Bureau joined the meeting by phone.

During the meeting, we reiterated T-Mobile’s position, as detailed in its comments and reply comments in these dockets,² that the Commission should conclude that LPTV and translator stations (collectively, “LPTV stations”) receiving funds from third parties are eligible to receive funds from the TV Broadcaster Relocation Fund (“Reimbursement Fund” or “Fund”) after making a certification to prevent the double recovery of their relocation expenses. We explained that this approach will expedite the post-auction transition process necessary to facilitate the rapid deployment of broadband service by allowing the continued advance funding of these expenses by third parties such as T-Mobile while the Commission establishes the LPTV reimbursement program, without penalizing these entities for doing so.

¹ T-Mobile USA, Inc. is a wholly owned subsidiary of T-Mobile US, Inc., a publicly traded company.

² See Comments of T-Mobile USA, Inc., MB Docket No. 18-214, GN Docket No. 12-268 (Sept. 26, 2018); Comments of T-Mobile USA, Inc., MB Docket No. 18-214, GN Docket No. 12-268 (Oct. 26, 2018) (“T-Mobile Reply Comments”).

We also addressed speculative concerns by some commenters that there may be insufficient funds in the Reimbursement Fund to cover the reasonable relocation costs of all eligible LPTV stations, and thus stations receiving third party funding should not be eligible for reimbursement from the Fund.³ We explained that, based on data from the hundreds of stations T-Mobile has partnered with prior to the creation of the Reimbursement Fund, the average relocation cost per station is between \$40,000 and \$45,000.⁴ T-Mobile believes that this estimate is representative of the costs of LPTV stations generally.⁵ In any event, excluding otherwise eligible LPTV stations from the Fund because they obtained third party funding would unjustifiably penalize parties such as T-Mobile that stepped forward to facilitate clearing the 600 MHz Band prior to the expansion of the Reimbursement Fund to cover LPTV reimbursement costs.

While T-Mobile continues to believe that concerns about the sufficiency of the Fund are unfounded, we suggested that the Commission could address these concerns by deferring reimbursement of eligible LPTV stations that have received funding from third party sources until all other eligible LPTV stations have received reimbursement from the Fund.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, an electronic copy of this letter is being filed in the above-referenced dockets and a copy provided to each member of the Commission's staff with whom we spoke. Please direct any questions regarding this filing to me.

Respectfully submitted,

/s/ Steve B. Sharkey

Steve B. Sharkey

Vice President, Government Affairs

Technology and Engineering Policy

cc: Jean Kiddoo
Hillary DeNigro
Barbara Kreisman
Pam Gallant
Kim Matthews
Joyce Bernstein

³ See generally T-Mobile Reply Comments.

⁴ These costs include engineering, antenna, transmitter, installation, and necessary tower modifications.

⁵ With 2,163 LPTV stations eligible for reimbursement from the Fund, even assuming \$50,000 per station, the total reimbursement costs would be just over \$100 million, well below the \$150 million that Congress has provided for this purpose.