



18-349

T-Mobile USA, Inc.  
601 Pennsylvania Avenue, Washington, DC 20004

December 6, 2018

ACCEPTED/FILED

**EX PARTE NOTICE VIA ECFS**

DEC 21 2018

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Federal Communications Commission  
Office of the Secretary

Re: Notice of *Ex Parte* Presentation, *Spectrum Frontiers Fourth Report and Order* (GN Docket No. 14-177); *Text Messaging Classification* (WT Docket No. 08-7); *Communications Marketplace Report* (GN Docket No. 18-231, WT Docket No. 18-203; MB Docket Nos. 17-214, 18-227; IB Docket No. 18-251)

Dear Ms. Dortch:

On December 3,<sup>1</sup> Steve Sharkey and I of T-Mobile USA, Inc. ("T-Mobile"), had a telephone conference call with Erin McGrath, Legal Advisor to Commissioner Michael O'Rielly, regarding the above-referenced proceedings. During the call, we discussed the draft items released in anticipation of the Commission's upcoming December Open Meeting in the listed proceedings.

Consistent with our filings in the Spectrum Frontiers proceedings,<sup>2</sup> T-Mobile urged the Commission to safeguard the future of the high-band spectrum allocations at issue in the proceeding by: 1) adopting the item as drafted and moving forward with auctioning the bands; and 2) working to ensuring that the US government as a whole is in synch with safeguarding and planning for these bands to be a key element of future mobile broadband service.

In addition, we expressed support for the draft Order in the Text Messaging Classification proceeding and for the draft Communications Marketplace Report. We commend the Commission on its decision to deny the pending petitions of Public Knowledge and Twilio, Inc. and declare SMS and MMS messaging Title I information services. Denial of the petitions will remove regulatory uncertainty and allow T-Mobile and other wireless messaging providers to continue to incorporate robotext-blocking, anti-spoofing measures, and other anti-spam features

<sup>1</sup> This *ex parte* is timely filed. In observance of the National Day of Mourning for President George H.W. Bush, the FCC was closed on Wednesday, December 5, 2018.

<sup>2</sup> See, e.g., Comments of T-Mobile, GN Docket No. 14-177 (Sept. 17, 2018); Reply Comments of T-Mobile, GN Docket No. 14-177 (Oct. 9, 2018).

No. of Copies rec'd \_\_\_\_\_  
List ABCDE

into their service. This is the right decision for consumers because it will allow industry to take steps to spare them from receiving unlawful and unwanted spam.

Pursuant to Section 1.1206 of the Commission's rules, we are filing an electronic copy of this letter in the above-captioned dockets. Please direct any questions regarding this filing to me.

Respectfully submitted,

*/s/ Cathleen A. Massey*

Cathleen A. Massey  
Vice President, Federal Regulatory Affairs  
T-Mobile USA, Inc.  
(202) 654-5971

cc: Erin McGrath (electronically)