



March 7, 2019

Via ECFS

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

RE: NOTICE OF EX PARTE

WT Docket No. 18-197: Applications of T-Mobile US, Inc. and Sprint Corporation, Consolidated Applications for Consent to Transfer Control of Licenses and Authorizations

Dear Ms. Dortch,

On February 13, 2019, the Rural Wireless Association, Inc. (“RWA”) filed an *ex parte* letter alerting the Federal Communications Commission (“FCC” or “Commission”) to a drive-test study conducted by the State of Vermont’s Department of Public Service (“Vermont DPS”), which shows clear evidence of T-Mobile USA, Inc. (“T-Mobile”) overstating its coverage in rural Vermont. T-Mobile responded to this *ex parte* on February 26, 2019, by filing an *ex parte* letter stating that RWA’s statements in its *ex parte* regarding 4G LTE coverage maps submitted by T-Mobile in the FCC’s Mobility Fund Phase II (“MF II”) proceeding are not relevant to the issues in the above-captioned merger proceeding.

Simply put, T-Mobile’s past conduct, especially as it relates to coverage in rural America, is directly relevant to the Commission’s review of this proposed transaction. While T-Mobile has alleged this transaction will enable New T-Mobile to provide improved coverage in rural America, the company’s past conduct illustrates why such claims must be met with skepticism by the Commission. Similarly, the questions raised by RWA as to whether T-Mobile may have intentionally misled the Commission about its rural coverage are directly relevant to T-Mobile’s candor and credibility which must be assessed by the Commission in evaluating the proposed

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transaction.¹ While RWA understands T-Mobile's desire to whitewash its false statements to the Commission regarding its rural wireless coverage, it may not do so merely by crying irrelevance.

Pursuant to Section 1.1206 of the Commission's Rules, this *ex parte* letter is being filed electronically with the Office of the Secretary.

Respectfully submitted,

/s/ Caressa D. Bennet

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¹ See, e.g., *RKO General, Inc. v. FCC*, 670 F.2d 215, 232 (D.C. Cir. 1981) (The “duty of candor is basic, and well known” and the Commission always has authority to deny a license or application where the record reveals a lack of candor.).