



March 8, 2019

***Ex Parte Notice***

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**RE: Application of T-Mobile US, Inc. and Sprint Corporation to Transfer Control of  
Licenses and Authorizations, WT Docket No. 18-97; Transforming the 2.5  
GHz Band, WT Docket No. 18-120; Expanding Flexible Use of the 3.7 to 4.2  
GHz Band, GN Docket Nos. 18-122 and 17-183**

Dear Ms. Dortch:

On Wednesday, March 6, 2019, the undersigned on behalf of NTCA–The Rural Broadband Association (“NTCA”) met with Rachel Bender from Chairman Pai’s office and on Thursday, March 7, met with William Davenport from Commissioner Stark’s office to discuss matters in the above-referenced proceedings.

**Sprint/T-Mobile Merger.** NTCA reiterated its opposition to the Sprint-T-Mobile Merger. NTCA expressed its doubts about the New T-Mobile fulfilling its promises to offer 5G service to rural America and how the deal would likely result in a loss of rural service. NTCA discussed the relationships its members have with Sprint for roaming and spectrum leasing and the fact that T-Mobile has not been a willing partner in many rural areas. The loss of Sprint as a partner would negatively impact competition, prices and rural service.

**2.5 GHz.** NTCA expressed support for a proposal to auction the spectrum and dedicate proceeds to help close the education gap. NTCA discussed potential ways to help ensure that tribal entities and providers with a proven record of serving rural communities and educational institutions have an opportunity to obtain the spectrum. To the extent the Commission moves forward with priority licensing windows, NTCA suggested that controls should be in place to ensure that the rules are not used by the largest providers to obtain discounted prices for spectrum. At the very least, a priority license holder who intends to offer its spectrum for lease or via a secondary market transaction should be required to work with a local service provider.

**3.7 GHz.** NTCA discussed its concerns regarding the proposed reallocation of the spectrum and a potential private market transfer of spectrum. It was pointed out that NTCA members currently use the spectrum for satellite downlinks and any changes to the spectrum licensing rules must fully protect incumbent users and consumers from harmful interference and service loss and disruptions. NTCA emphasized that its members are interested in mid-band spectrum opportunities and it is important that all interested parties are afforded a fair opportunity to acquire mid-band spectrum at reasonable prices. The licensing rules for any cleared spectrum should reflect the requirements and intent of the Communications Act of 1934, including 47 U.S.C. § 309(j), which tells the

Commission that it must avoid excessive concentration of licenses and disseminate licenses among a wide variety of applicants, including small businesses and rural telephone companies. The record in the proceeding does not make clear how a private sale mechanism would ensure transparency, inclusivity or competitive access to spectrum.

Thank you for your attention to this correspondence. Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS.

Sincerely,

/s/ Jill Canfield

Jill Canfield

Vice President of Legal

cc: Rachael Bender  
William Davenport