



June 3, 2021

Via ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: *Notice of Oral Ex Parte Communication*

WC Docket No. 20-445, *Emergency Broadband Benefit Program*

WC Docket No. 21-31, *Addressing the Homework Gap through the E-Rate Program*

WT Docket No. 19-348, *Facilitating Shared Use in the 3100-3550 MHz Band*

AU Docket No. 21-62, *Auction of Flexible-Use Service Licenses in the 3.45-3.55 GHz Band (Auction 110)*

WT Docket No. 18-120, *Transforming the 2.5 GHz Band*

AU Docket No. 20-429, *Auction of Flexible-Use Service Licenses in the 2.5 GHz Band for Next-Generation Wireless Services (Auction 108)*

Dear Ms. Dortch:

On June 1, 2021, Michele Thomas and Paula Timmons of T-Mobile USA, Inc. (“T-Mobile”)^{1/} and I met with Commissioner Simington and his staff members Carolyn Roddy, Erin Boone, Adam Cassady, and Isabella Russo-Teisi to discuss the above-referenced proceedings.

Emergency Broadband Benefit (“EBB”) Program. We applauded the Commission for establishing the EBB Program, which is helping to provide economic relief during the pandemic to the consumers who need it most. We explained that T-Mobile is uniquely positioned to help those in need because it is one of the largest Lifeline providers in the country and offers a variety of cost-effective pre- and post-paid broadband plans, including in-home broadband. That is why, as the Commission’s website notes, T-Mobile and our Assurance Wireless and Metro by T-

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



Mobile brands are participants in the program.^{2/} T-Mobile’s websites provide easy-to-follow directions to consumers, allowing them to take advantage of the EBB.^{3/}

3.45 GHz Band. We expressed support for the planned auction of the 3.45-3.55 GHz band, but noted that significant additional information is necessary for bidders to meaningfully assess the ability to use and, therefore, bid on the spectrum. We urged the Commission to work with the National Telecommunications and Information Administration (“NTIA”) and the Department of Defense (“DoD”) to make available data that shows precisely where, for how long, and under what conditions, federal use of the spectrum will continue to be required. Even if NTIA and DoD make that information available soon, potential bidders will require time to analyze it and compare it against the minimum opening bids that the Commission will establish for the auction. While Congress has required the Commission to initiate an auction of the 3.45-3.55 GHz band before the end of this year, the Commission has announced that it plans to initiate the auction in early October.^{4/} Moving the start of the auction to later in the year would provide much-needed time for potential bidders to evaluate the impact of incumbent operations and would result in greater auction participation, particularly among smaller providers that may not have the resources to quickly analyze NTIA and DoD-provided information.

2.5 GHz Band. As the Commission has recognized, the 2.5 GHz band can help the Nation recognize the promise of Fifth Generation (“5G”) service.^{5/} Now that the pleading cycle soliciting input on the process to auction the 2.5 GHz band has ended, the Commission should – consistent with precedent – promptly set a date by which the auction of the 2.5 GHz spectrum will begin. Small and large providers alike support conducting the auction using the familiar simultaneous multiple-round (“SMR”) bidding format.^{6/} Doing so will facilitate greater auction

^{2/} See FCC, Emergency Broadband Benefit Providers, <https://www.fcc.gov/emergency-broadband-benefit-providers> (last visited June 1, 2021).

^{3/} See Press Release, *T-Mobile and Metro by T-Mobile to Participate in FCC’s Emergency Broadband Benefit Program*, T-Mobile (May 3, 2021), <https://www.t-mobile.com/news/community/t-mobile-and-metro-by-t-mobile-to-participate-in-fccs-emergency-broadband-benefit-program>; T-Mobile, Emergency Broadband Benefit, <https://www.t-mobile.com/business/government/state-local-government/emergency-broadband-benefit> (last visited June 2, 2021); Assurance, Emergency Broadband Benefit, https://www.assurancewireless.com/Partner/bwin?utm_source=vw&utm_medium=sms&utm_campaign=tmsms1220 (last visited June 2, 2021).

^{4/} See Consolidated Appropriations Act, 2021, H.R. 133, 116th Cong., Div. FF, Title IX § 905(d)(1) (2020); *Auction of Flexible-Use Service Licenses in the 3.45-3.55 GHz Band For Next-Generation Wireless Services, Comment Sought on Competitive Bidding Procedures for Auction 110*, Public Notice, FCC 21-33, ¶ 1 (rel. Mar. 18, 2021).

^{5/} See *Transforming the 2.5 GHz Band*, Report and Order, 34 FCC Rcd 5446, ¶ 3 (2019).

^{6/} See, e.g., Comments of Competitive Carriers Association, AU Docket No. 20-429, at 1-2 (filed May 3, 2021); Comments of Rural 2.5 Consortium, AU Docket No. 20-429, at 1-2 (filed May 3, 2021); Comments of TeleGuam Holdings, LLC (“GTA”), AU Docket No. 20-429, at 4 (filed May 3, 2021); Comments of United States Cellular Corporation, AU Docket No. 20-429, at 1 (filed May 3, 2021); Comments of Verizon, AU Docket No. 20-429, at 4-9 (filed May 3, 2021) (“Verizon Comments”).

participation. If the Commission nevertheless determines to conduct a single-round, sealed bid auction, it should use second, or Vickrey, pricing, which it has now used often in the assignment phase of clock auctions. Others have attempted to insert unrelated matters into the Commission's consideration of what should be a straightforward decision regarding auction procedures.^{7/} The Commission should recognize those efforts for what they are – anti-competitive attempts to slow T-Mobile's continued record-setting provision of service to the public.

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Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter has been submitted in the record of the above-referenced proceedings, and copies have been sent to the members of the Commission's staff with whom we met. If there are any questions concerning this matter, please contact the undersigned directly.

/s/ Steve B. Sharkey

Steve B. Sharkey
Vice President, Government Affairs
Technology and Engineering Policy

cc: (by e-mail)
Hon. Nathan Simington
Carolyn Roddy
Erin Boone
Adam Cassady
Isabella Russo-Teisi

^{7/} See, e.g., Comments of AT&T Services, Inc., AU Docket No. 20-429, at 8-10 (filed May 3, 2021); Verizon Comments at 4.