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November 28, 2018

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Via Electronic Filing

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

Re: *Applications of T-Mobile US, Inc., and Sprint Corporation for Consent to Transfer Control of Licenses and Authorizations – WT Docket No. 18-197 – NOTICE OF EX PARTE PRESENTATION*

Dear Ms. Dortch:

I am writing pursuant to Section 1.1206(b)(2) of the Commission's rules to report that on November 27, 2018, Lynn Rejniak and Todd Gray, representing the National EBS Association ("NEBSA"), and David Moore, Donna Balaguer, and the undersigned, representing the Catholic Technology Network ("CTN"), met with the following Commission representatives: David Lawrence, Kate Matraves, Charles Mathias, Aalok Mehta, Joel Rabinovitz, Linda Ray, Jonathan Campbell, Aleks Yankelevich (by phone), Kirk Arner, and Chris Smeenck. A summary of our presentation is attached.

Respectfully submitted,

/s/ Edwin N. Lavergne

Edwin N. Lavergne

cc David Lawrence
Connie Diaz
Lynn Rejniak
Todd Gray
David Moore

November 27, 2018
T-Mobile/Sprint Transaction Team Meeting

Introduction

- The National EBS Association (“NEBSA”) and the Catholic Technology Network (“CTN”) represent the interests of Educational Broadband Service (“EBS”) licensees and have participated in virtually every major proceeding involving EBS.
- We wish to reinforce our support of the proposed T-Mobile/Sprint merger and address the merger concerns raised by Voqal as reflected in its ex parte letter dated November 9, 2018.

Background

- Most EBS licensees lease a portion of their spectrum to commercial operators. The vast majority of those leases are with Sprint subsidiaries.
- The Commission has encouraged these leasing relationships, and the use of EBS spectrum has been greatly enhanced by unique public-private partnerships forged between educators and commercial operators. Spectrum leasing promotes efficient spectrum use and advances the interests of both educators and commercial entities.
- In 2004, the Commission reconfigured the 2.5 GHz band to accommodate both fixed and mobile wireless broadband services. The reconfigured band provides even more flexibility to EBS licensees and their commercial lessees.
- The existing EBS regulatory model works well. Educators educate; commercial operators serve customers for a profit. These entirely different objectives are *both* furthered by the existing EBS regulatory model.

CTN-NEBSA Support for Merger

- In considering the merger, our goal has been to ensure that the benefits of EBS to education not be compromised or disrupted.
- In our discussions with Sprint and T-Mobile, CTN and NEBSA have been assured that:
 - The merger will bring enhanced benefits to EBS licensees and their educational constituents. These benefits will include (1) greater combined assets to construct and operate robust 5G networks and (2) better coverage, capacity, and reliability through combined spectrum holdings.
 - EBS licensees will benefit from the merger through the availability of advanced 5G products and services that they will be able to acquire and use through their existing lease agreements.

- T-Mobile is committed to continuing Sprint's mutually-beneficial relationships with the EBS community.
- On the basis of these assurances, we support the merger because we believe it will further enhance the public-private partnerships that have been forged over many years between Sprint and educators.

Concerns with Voqal Petition

- Voqal has asked that at least 1/3 of Sprint's 2.5 GHz spectrum be divested. Voqal seeks to ensure nationwide 2.5 GHz availability for other wireless providers, which in turn, it believes will create a more competitive EBS leasing environment.
- There is no evidence that divestiture will result in a more competitive leasing environment. Even if it could create such an environment, in our view, the risks of divestiture far outweigh the benefits. While lease revenues are important to EBS licensees, service to the educational community is equally important. With divestiture, service disruptions could be immediate and substantial, while the financial benefits from a potentially more competitive lease market would be speculative and likely decades from being realized, especially given the number of long-term EBS leases.
- We are concerned that a forced divestiture would be disruptive to affected EBS licensees.
 - Divestiture of EBS spectrum would presumably take place by New T-Mobile assigning EBS leases to a new carrier. Until a new carrier actually takes over the leases on terms acceptable to New T-Mobile, affected EBS licensees may end up in a sort of limbo – they will still have leases with New T-Mobile but may be inhibited in their long-term planning and operations without knowing the identity of their ultimate lease partner.
 - If EBS leases are assigned to a new carrier, affected EBS licensees might be cut off from using their existing Sprint devices and services, and depending on the pace of EBS deployment by the new carrier and the terms of their leases, may lose service altogether for some period of time. These EBS licensees may never see the advantages of the services that New T-Mobile will bring by virtue of the merger.
 - Some EBS licensees have channels in more than one EBS channel group (for example, the A and G Groups), and many of those licensees might end up with some channels remaining with New T-Mobile and some channels being “divested” to a new carrier. That alone would be disruptive and inefficient – with the need to coordinate devices and services on two different networks.