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June 19, 2015

EX PARTE VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268; *Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002*, AU Docket No. 14-252

Dear Ms. Dortch:

T-Mobile US, Inc. (T-Mobile)¹ submits the attached study in response to recent arguments by AT&T urging the Commission to abandon the No Excess Supply rule.² The No Excess Supply rule prevents predatory bidding. Allowing bidders the unrestricted ability to withdraw bids would encourage disingenuous bidding, impede price discovery in the auction, and create the opportunity to raise competitors' prices— all at little practical cost to the opportunistic bidder. The likelihood and gravity of the harms that would occur from eliminating the No Excess Supply rule outweigh the speculative benefits AT&T claims would accrue from eliminating this important safeguard. The Commission should adopt its No Excess Supply rule as proposed in the Comment Public Notice.³

The other proposals recently advanced by AT&T concerning whether and how to publicize and process efficient demand reductions may warrant some consideration. In practical terms,

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

² Philip A. Haile, *Comments on the FCC's Proposed "No Excess Supply" Rule For the 600 MHz Spectrum Auction*, attached to Letter of Christopher T. Shenk, Counsel for AT&T to Marlene H. Dortch, Secretary, FCC, GN Docket No. 12-268, AU Docket No. 14-252 (May 15, 2015).

³ See *Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002*, Public Notice, 29 FCC Rcd. 15750 (2014).

however, the measures AT&T proposes would prove complex to implement or would need to be carefully circumscribed to prevent abuse.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, an electronic copy of this letter is being filed in the above-referenced dockets. Please direct any questions regarding this filing to me.

Respectfully submitted,

/s/ Trey Hanbury

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