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July 29, 2015

EX PARTE VIA ECFS

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

Re: Expanding the Economic and Innovation Opportunities of Spectrum through Incentive Auctions, GN Docket No. 12-268, AU Docket No. 14-252;

Dear Ms. Dortch:

On July 28, 2015, the undersigned, representing AT&T, spoke by phone with Valery Galasso, Legal Advisor to Commissioner Rosenworcel. I discussed AT&T's position on Staff recommendations regarding the placement of broadcast stations in the wireless band if they cannot otherwise be repacked and AT&T's concerns about the overall level of impairment that will be permitted in the wireless band regardless of where in-band broadcasters are placed.

I re-iterated AT&T's core position: impairments caused by in-band or adjacent broadcasters can have devastating impacts on the band as we have seen in the 700 MHz band. The FCC should commit to keeping the aggregate impairment threshold at no more than 3% three percent and whatever border impairments remain at the time of auction.

I also noted AT&T's opposition to T-Mobile's latest requests for modifications to the Incentive Auction trigger rules. The Commission has already adopted an unprecedented auction framework to give T-Mobile special treatment in the auction by creating a protected reserve auction that, by design, will allow T-Mobile to purchase large amounts of 600 MHz spectrum free from auction competition at the expense of taxpayers (auction revenues will be lower) and rivals (mainly AT&T and Verizon). T-Mobile's latest request seeks to further increase these windfalls through a rule change that would further reduce auction revenue by effectively capping the price of the reserve spectrum at or near \$2.00 per MHz POP in the 40 largest markets. T-Mobile offers no legitimate justification for this proposal and it should be rejected.

During the conversation I referenced the ISIX study filed by AT&T on July 27,¹ 2015 and the letter filed the same date opposing T-Mobile's trigger proposal.²

In accordance with the Commission's rules, this letter is being filed electronically with the Secretary for inclusion in the public record.

Sincerely,

A handwritten signature in black ink, appearing to be 'JM', followed by a horizontal line extending to the right.

Joan Marsh

cc: Valery Galasso

¹ See Letter from Joan Marsh (AT&T) to Marlene H. Dortch (FCC), *Re: Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, AU Docket No. 14-252 (July 27, 2015) (regarding impact of putting TV stations in the commercial mobile 600 MHz band).

² See Letter from Joan Marsh (AT&T) to Marlene H. Dortch (FCC), *Re: Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, AU Docket No. 14-252 (July 27, 2015) (opposing proposal of T-Mobile to adopt a \$2.00 MHz/pop reserve trigger).