

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Development of Nationwide Broadband Data to) WC Docket No. 07-38
Evaluate Reasonably and Timely Deployment of)
Advanced Services to All Americans,)
Improvement of Wireless Broadband)
Subscribership Data, and Development of Data)
on Interconnected Voice over Internet Protocol)

T-MOBILE USA, INC. REQUEST FOR WAIVER AND EXTENSION OF TIME

Pursuant to Section 1.3 of the rules of the Federal Communications Commission (“Commission” or “FCC”),¹ T-Mobile USA, Inc. (“T-Mobile”) requests a waiver and three week extension (i.e., until September 22, 2015) of the September 1, 2015 deadline to submit T-Mobile’s FCC Form 477 Local Telephone Competition and Broadband Report.² T-Mobile has encountered unforeseen difficulties uploading the necessary data onto the FCC’s Form 477 filing interface. A waiver and brief extension of the September 1 deadline serves the public interest because it would allow T-Mobile to submit complete and accurate data to the Commission.

In the week prior to the Form 477 deadline, a T-Mobile server that contains mapping data used to complete the Form 477 became inoperable. The server has since been fixed, but compiling accurate mapping data was delayed due to the server malfunction. T-Mobile was able to begin uploading the mapping files into the Form 477 filing interface on September 1, the day

¹ 47 C.F.R. § 1.3.

² The three week extension takes into consideration the fact that the Form 477 filing interface will be unavailable from 6am ET September 2, 2015 through 7am ET September 9, 2015 due to the FCC’s Information Technology upgrades.

of the filing deadline. Once it began the uploading process, however, it encountered significant slowness in the Form 477 filing interface and various filing error messages.³ As a result of these delays and problems, it was unable to complete the mapping portions of the Form 477 prior to the filing deadline.

T-Mobile has worked diligently to collect and file the necessary information for the Form 477. Indeed, prior to the deadline it had entered and completed all of the non-mapping data portions of the Form 477. T-Mobile also had compiled the necessary mapping data for the Form 477 by September 1, but then experienced difficulties with uploading that data into the Form 477 filing interface on the day of filing. These unforeseen delays have prevented the company from timely submitting its Form 477 report, but it expects to complete its report by September 22, 2015.

The Commission may grant an extension or waiver of the compliance deadline of the Form 477 for good cause.⁴ Good cause is shown and an extension is appropriate if “special circumstances warrant a deviation from the general rule and such deviation will serve the public interest.”⁵ In this case, special circumstances warrant a three week extension of the September 1, 2015 deadline to file T-Mobile’s Form 477 report. As noted above, unexpected delays are preventing T-Mobile from providing complete and accurate data in its Form 477. A short

³ T-Mobile also contacted the Form 477 help desk for assistance.

⁴ 47 C.F.R. § 1.3.

⁵ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); *see also WAIT Radio v. FCC*, 418 F.2d 1153 (D.C. Cir. 1969).

extension will help ensure the Form 477 information relied upon by the FCC is complete and accurate.⁶

T-Mobile acknowledges the critical importance of the information reported in the Form 477 and is dedicated to submitting complete and accurate broadband data as promptly as possible. A short extension will serve the public interest by ensuring that T-Mobile submits accurate and complete data on the availability of broadband services.

Respectfully submitted,



By: _____

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September 1, 2015

⁶ See, e.g., *Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscriberhip Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscriberhip*, Order, 24 FCC Rcd 2375 (WCB 2009) (extending the Form 477 deadline by two weeks to ensure the accuracy of the submitted data).