

April 14, 2016

**EX PARTE NOTICE 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; and Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002, AU Docket No. 14-252***

Dear Ms. Dortch:

On April 12, 2016, Steve Sharkey and Chris Wieczorek of T-Mobile USA, Inc. (“T-Mobile”),<sup>1</sup> Trey Hanbury and C. Sean Spivey of Hogan Lovells US LLP and Davina Sashkin and Justin Faulb of Fletcher, Heald, & Hildreth, PLC, counsel to T-Mobile, met with Gary Epstein, Howard Symons, Dorann Bunkin, Sasha Javid, Barbara Kreisman, Pamela Gallant, Jean Kiddoo, Anthony Coudert, Erin Griffith, Sandra Danner, Karla Hoffman, James Costa, Brian Smith, Rudy Sultana and Hillary DeNigro of the Federal Communications Commission Incentive Auction Task Force.

At the meeting, T-Mobile and its counsel discussed the attached slide presentation that provides additional detail on T-Mobile’s proposal for a phased repacking process. T-Mobile’s proposed broadcast relocation schedule would steadily open access to low-band spectrum for both population and land area over a three-year period in an objective and balanced manner.

T-Mobile’s representatives began by describing T-Mobile’s prior experience in frequency-relocation projects, including the massive AWS-3 relocation process. In the broadcasting context, T-Mobile explained how it has already assisted multiple full-power television stations since August 2014 in relocating from Channel 51 to lower-frequency spectrum. On average, these stations needed just 93 days to move from the start of the transition process when the FCC granted the station’s construction permit to the end of the process when the station filed a license to cover its new operations. T-Mobile explained that these stations were not simple, low-elevation, low-power installations. On the contrary, many of the Channel 51 relocations involved complex, high-power

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

systems located on sizeable tower structures.<sup>2</sup> The Channel 51 relocations were obviously limited in number and did not involve anywhere near the number of simultaneous moves as contemplated by the 600 MHz relocation process. Nonetheless, the fast-pace of these Channel 51 relocations help demonstrate how planning, collaboration and accountability can accelerate the process of relocating broadcasters to new frequencies of operation.

In T-Mobile's proposed approach to the 600 MHz band transition, the FCC would divide the United States into eight geographic regions of interrelated broadcasters and then create multiple, parallel streams (tranches) for repacking and clearing in each region. The first tranche would clear geographic regions where fewer pairwise interference constraints exist relative to other areas. Subsequent tranches would be drawn strategically in ways intended to break "daisy chains" of interference that would otherwise preclude or complicate relocations in other markets. Each tranche would transition by a date certain according to construction windows. If circumstances prevent a station from transitioning by the end of the window it could seek a waiver from the FCC to extend its clearing deadline. Structuring the clearing process this way would also prevent the FCC from having to process numerous waiver requests at the end of the 39-month transition process should substantial delays occur.

Additionally, the T-Mobile proposal incorporates a built-in safety valve of time and capacity should the repacking process take longer than expected. Under the T-Mobile proposal, the percentage of broadcasters repacked in each tranche would increase incrementally through tranche five. The sixth and last tranche contemplates fewer broadcasters relative to the other tranches to allow for the time and resources to accommodate the needs of stations that may have received fact-specific waivers during earlier phases of the relocation process.

In general, T-Mobile's proposed repacking sequence strives to clear less complex broadcast markets – such as Miami, Houston, and Minneapolis – earlier while giving broadcasters in more complex markets – such as New York, Chicago, Los Angeles, San Francisco – ample time to prepare for clearing. The proposed approach would mitigate the potential for bottlenecks because not all markets will reach the same point of the transition simultaneously. And by incorporating a mix of rural and urban markets early in the process, the proposed approach would allow a diverse range of stakeholders to gain access to new broadband spectrum and the latest over-the-air television equipment in a timely manner. This approach stands in stark contrast to alternative approaches that focus first on clearing the most densely populated and complex markets. As shown in the attached presentation, such an approach would result in significant delays due to the long planning time required for complex markets, would require much more complex daisy chains to be addressed and would clear only a small percentage of the US in early stages of the relocation process.

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<sup>2</sup> The Channel 51 stations affected have used a variety of equipment, including side-mount slot, broadband panel, top-mount pylon slot, top-mount slot candelabra and side-mount panel array antennas; the relocation process has involved eight full-power and two Class A broadcasters so far.

To comply with section 1.1206(b)(2) of the Commission's rules, we have filed an electronic copy of this letter in the above-referenced docket. Please direct any questions regarding this filing to me.

Respectfully submitted,

/s/ Trey Hanbury

Trey Hanbury

Partner  
Counsel to T-Mobile USA, Inc.

Attachment

cc: Gary Epstein  
Howard Symons  
Dorann Bunkin  
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