

May 11, 2016

EX PARTE NOTICE VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20054

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 USA, Inc. (“T-Mobile”)¹ submits the attached technical study, which was prepared in partnership with Hammett & Edison, Inc. and Broadcast Tower Technologies, Inc., to respond to criticism by Digital Tech Consulting, Inc. (DTC) of an earlier study that documented how clearing the 600 MHz band could occur on time and on budget.² The current study, entitled “A Response to DTC’s March 2016 Presentation on the State of Broadcaster Relocation Resources,” affirms the findings of the previous analysis and provides additional information on the resources available to complete the repacking process within 39 months.

Nothing in the critique DTC leveled against the earlier joint study has cast any doubt on the conclusion that broadcasters can complete the post-auction relocation process within 39 months and within the available budget.

- Contrary to DTC’s assertion, the initial analysis accounted for the time required for negotiations with tower owners and local zoning approval as well as the potential for dynamic interactions among different phases of the transition.
- The number of antennas, related equipment and available antenna-manufacturing capacity is more than sufficient to supply antennas for all broadcasters that will need them.

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

² See T-MOBILE USA, INC., BROADCAST TOWER TECHNOLOGIES, INC. AND HAMMETT & EDISON, INC., ON TIME AND ON BUDGET: COMPLETING THE 600 MHZ INCENTIVE AUCTION REPACKING PROCESS WITHIN THE FCC’S 39-MONTH RELOCATION DEADLINE AND THE BUDGET ESTABLISHED BY CONGRESS (Feb. 17, 2016) (the “On Time, On Budget study”), *attached to Ex Parte* Letter from Steve Sharkey, Vice President, Government Affairs Technology and Engineering Policy, T-Mobile USA, Inc. to Marlene H. Dortch, Secretary, FCC, GN Docket No. 12-268 and AU Docket No. 14-252 (filed Feb. 17, 2016).

- Sufficient transition resources, including qualified tower crews, radiofrequency engineering firms and structural engineering firms, are available to assist with the repacking within a 39-month period.
- Several additional vendors not identified in the initial study have sought to highlight their capacity and skills.³ Others report having added capacity or resources since the initial study.

To the extent that challenges to the timing or budget arise, the Commission's existing repacking process can address potential concerns.

1. ***The Commission can address hardship cases as needed.*** The Commission has expressed its intent to grant waivers to broadcasters that experience delays for reasons outside of their control; T-Mobile and others in the wireless industry have supported this measure.
2. ***The Commission can monitor costs.*** The Commission will know broadcasters' likely repacking expenses early in the process because broadcasters are required to submit repacking cost estimates with their construction permit applications once the incentive auction ends.
3. ***The Commission can direct resources where they are needed.*** The Commission has delegated authority to the Media Bureau to stagger the payment of estimated repacking expenses based on a regional repacking approach.
4. ***The Commission can monitor progress as it occurs.*** The Commission's relocation reimbursement process requires broadcasters to submit progress reports, which will allow the Commission to monitor clearing performance in individual regions and, if necessary, address potential impediments as they arise.

While complexity and risk is inevitable in any project on the scale of the 600 MHz broadcast transition, the evidence in the record suggests that ample resources and administrative remedies exist to complete the process on time and on budget.

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 dockets. 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
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Melissa Dunford

³ The list of vendors is so extensive and diverse that broadcasters may find value in the FCC maintaining a web page where vendors could post their skills as a way of making that information more readily available to the industry as a whole.

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