

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

In the Matter of	)	
	)	
Eleventh Annual Report and Analysis of	)	WT Docket No. 06-17
Competitive Market Conditions With Respect to	)	
Commercial Mobile Services	)	

**COMMENTS OF LEAP WIRELESS INTERNATIONAL, INC.**

Leap Wireless International, Inc. and its Cricket subsidiaries (collectively, “Leap”) submit these comments in response to the Federal Communications Commission’s *Public Notice* requesting comment on CMRS market competition.<sup>1</sup> Leap is a facilities-based CMRS carrier providing valuable mobile wireless services to approximately 1.62 million customers in 19 states. Leap offers service at a reasonable flat monthly rate, without requiring its customers to enter a long-term contract or to meet a credit standard.

Leap brings the benefits of mobile wireless service to many individuals who are underserved by other carriers. Increased concentration and consolidation within the mobile wireless industry, however, has forced these individuals to pay more for some services than would be required in a fully competitive market. Leap therefore urges the Commission to evaluate carefully the market conditions in every aspect of the CMRS industry and to adopt measures to protect these and all other customers from potentially abusive market practices.

Leap recognizes that the Commission has omitted from its request for comments any questions about roaming.<sup>2</sup> Nevertheless, Leap attaches to these comments its initial and reply

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<sup>1</sup> *WTB Seeks Comment on CMRS Market Competition*, WT Docket No. 06-17, Public Notice, DA 06-62 (rel. Jan. 18, 2006).

<sup>2</sup> *Id.* at 2 n.6.

comments that it submitted in the proceeding to reexamine roaming obligations of CMRS carriers<sup>3</sup> because these documents contain a thorough evaluation of the market as a whole and identify some of the effects that increased consolidation and concentration have had on consumers. The Commission may therefore find Leap's analysis helpful in its evaluation of the competitiveness of the CMRS industry, as required under 47 U.S.C. § 332(c)(2)(C).<sup>4</sup>

Respectfully submitted,

/s/ James H. Barker

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<sup>3</sup> *In re Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers*, WT Docket No. 05-265.

<sup>4</sup> Leap believes the Commission must report on all aspects of the CMRS industry, which must of course include competitive conditions in wholesale roaming markets. An analysis of the CMRS industry that omits consideration of roaming would, in Leap's view, be fatally deficient and would not meet the Commission's statutory obligations—especially because there are significant competitive problems that only become apparent when wholesale roaming markets are viewed in connection with retail markets.

\* Licensed to practice in Illinois; application to practice in D.C. pending.