



April 3, 2006

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Washington, DC 20554

Re: **Ex Parte Notice**  
ET Docket No. 00-258

Dear Ms. Dortch:

On Monday April 3, 2006, the undersigned of T-Mobile, along with Eric DeSilva and Tom Dombrowsky of Wiley Rein & Fielding LLP met with members of the Wireless Telecommunications Bureau (“WTB”) to discuss the above referenced docket. Cathleen Massey, Peter Corea, Joel Taubenblatt, Walt Strack, Bill Huber, and John Schauble were in attendance from WTB. During the meeting, the attached presentation was discussed.

Sincerely,

/s/ Kathleen O'Brien Ham

Kathleen O'Brien Ham

cc: Cathleen Massey  
Peter Corea  
Joel Taubenblatt  
Walt Strack  
Bill Huber  
John Schauble

Attachment

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**AWS Relocation Issues**  
**ET Docket No. 00-258**  
*April 3, 2006*



- **T-Mobile is pleased the FCC has decided to commence the AWS Auction on June 29, 2006, as announced**
- **AWS spectrum is critical to continued competition and product choice in the marketplace for advanced services**
- **T-Mobile intends to move aggressively to roll out next generation wireless services in this spectrum**
- **However, there are several remaining issues surrounding the relocation of incumbent licensees in the AWS spectrum that require attention to ensure expeditious use of the band post-auction**



- **Broadband Radio Service (BRS) Relocation**

- BRS-1 (2150-2156 MHz) overlaps 5 MHz of AWS F block (1745-1755/2145-2155 MHz)

- *Under the new BRS bandplan, BRS-1 is to be moved to 2496-2502 MHz – but not until the three year BRS transition is completed.*
- *Some suggestions that BRS-1 can be moved temporarily to 2496-2500 MHz while BRS transition is completed – T-Mobile supports such an interim relocation*

- BRS-2 does not overlap with AWS F block but BRS incumbents have argued that BRS-1 and BRS-2 must be moved simultaneously

- *BRS-2/2A cannot be relocated to post-transition home (2618-2624 MHz), which is encumbered, so BRS incumbents have suggested three part relocation*

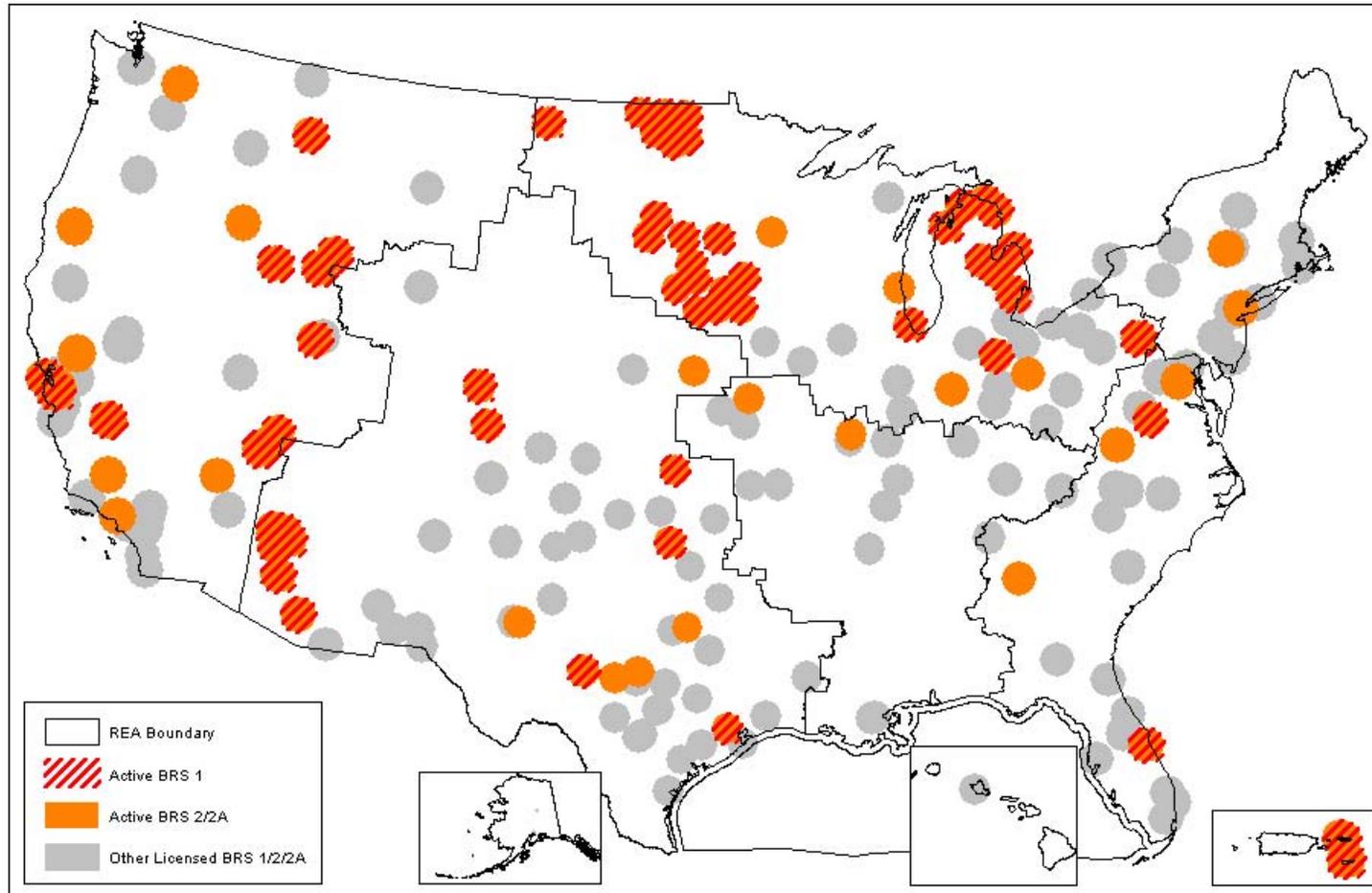


- **Independent of what BRS facilities are to be relocated, further BRS information would be useful**
  - BRS 1/2/2A incumbents should be required to provide relocation estimates for their systems
  - ULS does not fully reveal the extent of incumbent usage (e.g., the number of end user sites that will require relocation)
  - Disparity between licensed facilities and responses to 12/06 *Public Notice*
- **Further relocation information would be helpful to AWS bidders if provided prior to the AWS auction**
  - Early gathering of this information will better define the debate concerning the relocation rights and requirements of BRS incumbents
  - However, AWS auction could proceed on schedule without this information, but auction bidding would reflect the lack of certainty associated with incumbent relocation costs

# Protection of BRS



Licensed v. Active BRS 1/2/2A  
(BRS Licensees Filing Status Updates)





- **The Commission should make clear that it is acceptable to pay incumbent license holders to “go dark” and cease operations rather than embark on a relocation process**
- **The Commission should reconfirm that all incumbent parties have a responsibility to negotiate relocation in good faith to ensure an expeditious relocation process**
- **T-Mobile believes the relocation process would benefit from the establishment of a neutral clearinghouse, to enable the sharing of costs between AWS and MSS license holders that are relocating incumbents in the AWS spectrum**



- **The upcoming AWS auction represents the most compelling, nationwide CMRS spectrum made available in over a decade.**
- **Relocation of incumbent operations in the AWS spectrum bands must be handled expeditiously and thoroughly to ensure rapid use of this spectrum by auction winners.**