

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

Wireless Telecommunications Bureau Opens	)	DA 06-1279
Filing Window for Proposals to Develop and	)	
Manage the Clearinghouse that will Administer	)	
the Relocation Cost Sharing Plan for Licensees	)	
in the 2.1 GHz Bands	)	
	)	
Amendment of Part 2 of the Commission’s Rules	)	ET Docket No. 00-258
to Allocate Spectrum Below 3 GHz for Mobile and	)	
Fixed Service to Support the Introduction of New	)	
Advanced Wireless Services, including Third	)	
Generation Wireless Systems	)	
	)	
Service Rules for Advanced Wireless Services in	)	WT Docket No. 02-353
the 1.7 GHz and 2.1 GHz Bands	)	

**COMMENT OF T-MOBILE USA, INC.**

T-Mobile USA, Inc. (“T-Mobile”) respectfully submits these comments in support of CTIA’s proposal to act as a neutral, not-for-profit clearinghouse responsible for facilitating cost-sharing among entrants benefiting from the relocation of incumbent licensees in the 2.1 GHz band.<sup>1</sup> CTIA’s proposal reflects that it is well-qualified to act as a 2.1 GHz cost-sharing clearinghouse. As such, the FCC should expeditiously grant CTIA’s proposal. T-Mobile also submits these comments to encourage the FCC to clarify the procedures it established for AWS deployments in the 1.7 GHz band.

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<sup>1</sup> CTIA—The Wireless Association Clearinghouse Plan, ET Docket No. 00-258, WT Docket No. 02-353 (filed July 17, 2006) (“CTIA Proposal”). *See also* Wireless Telecommunications Bureau Opens Filing Window for Proposals to Develop and Manage the Clearinghouse that Will Administer the Relocation Cost Sharing Plan for Licensees in the 2.1 GHz Bands, Public Notice, 21 FCC Rcd 6616 (2006) (requesting comment on any specific proposals to act as a clearinghouse).

**I. THE FCC SHOULD EXPEDITIOUSLY GRANT CTIA'S PROPOSAL TO ACT AS A 2.1 GHZ COST-SHARING CLEARINGHOUSE.**

T-Mobile is a qualified bidder in Auction 66 and thus is a potential winner of Advanced Wireless Services (“AWS”) licenses in the 2.1 GHz band. In order to ensure that AWS licensees may begin providing service using this spectrum as soon as possible after the auction, the FCC should expeditiously grant CTIA’s proposal to act as a clearinghouse. Such action will ensure that the approved clearinghouse can be operational soon after the AWS auction and will help to avoid any unnecessary delays in the deployment of service.

T-Mobile is also a licensee in the 1.9 GHz broadband Personal Communications Service (“PCS”) band, and therefore has significant operational experience in spectrum clearing and cost sharing efforts. Based on this extensive experience, T-Mobile is well aware of the role of the clearinghouse and the skills it must have to promote a timely and efficient cost-sharing process. Indeed, choosing an experienced and appropriate clearinghouse is a critical step in ensuring an effective cost sharing process that will cause less disruption to operators, minimize the impact on licensees, and allow for the growth and development of important new wireless services for the American public. As such, T-Mobile strongly supports CTIA’s proposal to act as a 2.1 GHz cost-sharing clearinghouse.

CTIA is well-qualified to act as a 2.1 GHz cost-sharing clearinghouse because it has the database systems, technical resources, and expertise necessary to coordinate the cost sharing of the entire 2.1 GHz band. In addition, CTIA’s association with Comsearch provides a proven resource to develop effective tools necessary to support cost sharing by

a company that has experience with the rules and requirements of cost-sharing.<sup>2</sup> Moreover, CTIA has: (1) represented wireless communications interests for 22 years; (2) some of its members are licensed in the 2.1 GHz band that must be relocated; and (3) other members that are likely to be winning bidders in the AWS auction. As such, CTIA already has an established relationship with many of the parties that will be participating in the cost-sharing process.

Similarly, CTIA's proposal demonstrates that it has extensively reviewed the effectiveness of the 1.9 GHz clearinghouse and has incorporated revisions to those procedures to address problems that arose. For example, CTIA's proposal to implement an electronic, web-based application process will result in a more efficient and reliable system for the collection of data by the clearinghouse.<sup>3</sup> CTIA also indicates its intention to notify all AWS licensees of their obligations to participate in the cost-sharing clearinghouse.<sup>4</sup> Such notifications should ensure that AWS licensees are aware of their obligations, a significant problem that resulted in a myriad of delays during the administration of 1.9 GHz cost sharing. Finally, CTIA includes advisory group and user meetings as well as dispute resolution procedures in its proposal.<sup>5</sup> These elements of the proposal are essential to ensuring that the administration of cost sharing proceeds in an efficient and impartial manner.

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<sup>2</sup> Comsearch is an experienced and reliable engineering firm that specializes in providing spectrum management solutions. Furthermore, Comsearch has provided similar services to the cost-sharing clearinghouse in the 1.9 GHz band and managed the frequency coordination and database development for both the Wireless Medical Telemetry Service ("WMTS"), and the 70-90 GHz Service. CTIA Proposal at 3-4.

<sup>3</sup> CTIA Proposal at 10.

<sup>4</sup> *Id.* at 8-9.

<sup>5</sup> *Id.* at 15-18.

Given CTIA's clear qualifications, the FCC should expeditiously grant CTIA's proposal to act as a 2.1 GHz cost-sharing clearinghouse.

**II. THE FCC SHOULD CLARIFY THE PROCEDURES FOR AWS DEPLOYMENTS IN THE 1.7 GHZ BAND.**

The Commercial Spectrum Enhancement Act ("CSEA") permits the Commission to grant commercial licenses in the 1710-1755 MHz band ("1.7 GHz band") prior to the relocation of federal government operations and the termination of a federal entity's authorization.<sup>6</sup> Furthermore, the Commission has indicated a desire for licensees to deploy their systems in a "timely and efficient manner."<sup>7</sup> In order to facilitate this process, the Commission and NTIA released a series of procedures that relocated federal agencies and new licensees must follow when AWS licensees deploy services in the 1.7 GHz band.<sup>8</sup> T-Mobile urges the Commission and NTIA to clarify some of these procedures.

T-Mobile urges the Commission and NTIA to clarify the procedures for sharing information between federal agencies and licensees. The current procedures require new licensees to contact the appropriate federal agency to obtain the information necessary to conduct an interference analysis. The federal agency is then required to provide the necessary information within 30 days of the request.<sup>9</sup> The procedures, however, do not specify *how* the information is to be shared, such as whether the agency is required to

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<sup>6</sup> 47 U.S.C. § 309(j)(15)(c).

<sup>7</sup> The Federal Communications Commission and the National Telecommunications and Information Administration – Coordination Procedures in the 1710-1755 MHz Band, Public Notice, 21 FCC Rcd 4730, 3 (2006).

<sup>8</sup> *Id.* at 4.

<sup>9</sup> *Id.* at 4.

provide the data electronically, and what the file format will be. T-Mobile suggests that the affected federal agencies should begin to create a ready database of microwave system information to facilitate the efficient exchange of data as soon as possible.

T-Mobile is also concerned that agencies will not be prepared to respond to the quantity of requests they are likely to receive at the close of the auction. It is possible that each agency could receive a large number of requests soon after the auction is completed, with each request seeking all of the agency's data. T-Mobile is concerned that these agencies may not be ready for such significant data requests, which could result in significant delays in AWS deployments. We would strongly urge that the planning for this process with the individual agencies begin immediately to ensure that a smooth and effective effort is "primed" to begin once the auction concludes.<sup>10</sup> The Commission and NTIA should also clarify the repercussions for federal agencies who do not provide the necessary information within the 30 day limit established by the Commission and NTIA.

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<sup>10</sup> One idea is to allow qualified bidders to enter into Non-Disclosure Agreements with government agencies before licenses are granted in order to facilitate the exchange of information.

**III. CONCLUSION**

For the above reasons, T-Mobile urges the Commission to (1) expeditiously grant CTIA's proposal to act as a 2.1 GHz clearinghouse and (2) issue a Public Notice clarifying the procedures for AWS deployments in the 1.7 GHz band.

Respectfully submitted,

By: */s/ Kathleen O'Brien Ham*

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Kathleen O'Brien Ham, Managing  
Director, Federal Regulatory Affairs  
Patrick Welsh, Corporate Counsel, Federal  
Regulatory Affairs

T-Mobile USA, Inc.  
401 9<sup>th</sup> Street, NW  
Suite 550  
Washington, DC 20004

Dated: July 31, 2006

**CERTIFICATE OF SERVICE**

I, Patrick Welsh, do hereby certify that on this 31<sup>st</sup> day of July 2006, I caused copies of the foregoing “Comment of T-Mobile USA, Inc.” to be delivered to the following via First Class U.S. mail:

Christopher Guttman-McCabe  
Robert B. Mesirow  
Michael F. Altschul  
CTIA – The Wireless Association®  
1400 16<sup>th</sup> Street, NW  
Suite 600  
Washington, DC 20036

Michael T. N. Fitch  
PCIA – The Wireless Infrastructure Association  
500 Montgomery Street  
Suite 700  
Alexandria, VA 22314

*/s/ Patrick Welsh*

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