



FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

September 15, 2006

Via First Class Mail and Facsimile

DOCKET FILE COPY ORIGINAL

NTT DoCoMo, Inc.
c/o Cheryl A. Tritt, Esq.
Morrison & Foerster LLP
2000 Pennsylvania Ave., NW
Suite 5500
Washington, DC 20006

Guam Cellular and Paging, Inc.
c/o David A. LaFuria, Esq.
Lukas, Nace, Gutierrez & Sachs, Chartered
1650 Tysons Boulevard, Suite 1500
McLean, Virginia 22101

Guam Wireless Telephone Company, L.L.C.
c/o Thomas K. Crowe
Law Offices of Thomas K. Crowe, PC
1250 24th Street, NW, Suite 300
Washington, DC 20037

Re: Request for Information Concerning Applications for Consent to the Transfer of Control of Licenses and Authorizations Held by Guam Cellular and Paging, Inc., and to the Assignment of License Held by Guam Wireless Telephone Company, LLC, to NTT DoCoMo, Inc., and Petition for Declaratory Ruling, WT Docket No. 06-96 (File Nos. 0002556700 and 0002553437)

Dear Counsel:

On April 11, 2006, the Commission received the above-captioned applications filed pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended (the "Act"), and a petition for declaratory ruling on foreign ownership under section 310(b)(4) of the Act.¹ In order for the Commission to complete its review of the applications and make the necessary public interest findings under section 310(d) of the Act,² we require additional

¹ 47 U.S.C. §§ 214, 310(d), and 310(b)(4).

² This information request letter does not cover the applications filed pursuant to section 214, nor does it address the applicants' Petition for Declaratory Ruling on foreign ownership filed pursuant to section 310(b)(4).

WT Docket No. 06-96
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information and clarification of certain matters discussed in the applications and related pleadings.³ If necessary, we will follow up with additional requests for information.

Accordingly, pursuant to section 308(b) of the Act,⁴ we request that you provide written responses and supporting documentation for each request set forth in the Attachment. Where appropriate, please also amend the lead application to reflect your responses. Each response or document should clearly indicate the specific question or request to which it responds, and each page should be marked with a corporate identification number and consecutive document control number. We would appreciate receiving your response to each inquiry no later than September 29, 2006.

Your response should be filed with Marlene H. Dortch, Secretary, Federal Communications Commission, referencing the File Number of the lead application. In addition, the Public Notice and the Protective Order require the submission of multiple copies of all *ex parte* and other filings submitted in this proceeding.⁵ The Wireless Telecommunications Bureau (the "Bureau") also should receive, at a minimum, two copies of all paper filings. If you submit information pursuant to the Protective Order issued in this proceeding, you should deliver to Erin McGrath or Weiren Wang of the Bureau two copies of the unredacted documents marked "Confidential Information – Subject to Protective Order in WT Docket No. 06-96 before the Federal Communications Commission," and two copies of the redacted documents marked "Redacted – For Public Inspection."⁶ For any electronic filings made using the Commission's Electronic Comment Filing System ("ECFS"), parties also should serve the documents via e-mail to Erin McGrath, erin.mcgrath@fcc.gov, Nina Shafran, nina.shafran@fcc.gov, and Weiren Wang, weiren.wang@fcc.gov.

³ On June 9, 2006, TeleGuam Holdings, LLC ("TeleGuam") filed a Petition to Deny the applications. The applicants jointly filed an Opposition to Petition to Deny on June 22, 2006, and TeleGuam filed a Reply on June 29, 2006.

⁴ 47 U.S.C. § 308(b).

⁵ See NTT DoCoMo, Inc., Guam Cellular and Paging, Inc., and Guam Wireless Telephone Company, L.L.C. Seek FCC Consent to Assign and Transfer Control of Licenses and Authorizations and Request a Declaratory Ruling on Foreign Ownership, WT Docket No. 06-96, *Public Notice*, DA 06-947 (rel. May 10, 2006); In the Matter of Guam Cellular and Paging, Inc., Transferor and Assignee, and Guam Wireless Telephone Company, L.L.C., Assignor, and NTT DoCoMo, Inc., Transferee, Order Adopting Protective Order, WT Docket No. 06-96, *Order*, DA 06-1877 (rel. Sept. 15, 2006) ("Protective Order").

⁶ See Protective Order ¶ 12.

If you have any questions regarding this matter, please contact Erin McGrath at (202) 418-2042, Nina Shafran at (202) 418-2781, or Weiren Wang at (202) 418-7275.

Sincerely,

A handwritten signature in black ink that reads "Katherine M. Harris". The signature is written in a cursive style with a large initial 'K'.

Katherine M. Harris
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

Attachment

**General Information Request
September 15, 2006**

I. Definitions

1. The term "DoCoMo" means NTT DoCoMo, Inc.
2. The term "DoCoMo Guam" means DoCoMo Guam Holdings, Inc.
3. The term "Guam Wireless" means Guam Wireless Telephone Company, L.L.C.
4. The term "Guam Cellular" means Guam Cellular and Paging, Inc.
5. The term "analyses" includes all reports, studies (including marketing and market studies), forecasts, presentations, and surveys (whether prepared internally or by outside advisors, and including, but not limited to, management consultants, marketing consultants, and investment advisors and bankers)
6. The term "Application" means the narrative exhibit attached to the application for transfer of control of Guam Cellular to DoCoMo Guam, File No. 0002556700.
7. The term "Opposition" means the pleading submitted jointly by the Applicants on June 22, 2006, entitled "Opposition to Petition to Deny of TeleGuam Holdings, L.L.C."
8. The term "CNMI" means the Commonwealth of the Northern Mariana Islands.

II. Document and Data Request Regarding Material Contained in the Application

1. On Page 2 of the Application, the Applicants state that "DoCoMo expects to "continue operating, for the time being, two separate networks in Guam and the CNMI. DoCoMo will enhance the quality of Guam Wireless' GSM network near term by adding General Packet Radio Service ("GPRS") capability and in the future expects to deploy a wideband spread-spectrum 3G mobile telecommunications air interface (W-CDMA) network for third generation (3G) services over Guam Cellular's cellular licenses." Further, on Page 32, the Application states that DoCoMo intends to provide \$6.5 million for installation of GPRS on Guam Wireless' GSM network and W-CDMA on Guam Cellular's cellular network upon consummation of the proposed transaction.

- i. Please provide a timeline on how long the two networks will be operated separately and when the two networks will be integrated into one network in both CNMI (in particular the three main islands) and Guam.
 - ii. Please provide a breakdown of the \$6.5 million over the GPRS and W-CDMA deployment costs by year and by location (Guam and CNMI).
 - iii. Please provide a timeline for adding GPRS to Guam Wireless' GSM network in both CNMI (in particular the three main islands) and Guam.
 - iv. Please provide a timeline for deploying the W-CDMA on Guam Cellular's network in both CNMI (in particular the three main islands) and Guam.
 - v. Will the installation of W-CDMA result in other technologies currently deployed on Guam Cellular's spectrum being discontinued? If so, please provide a timeline for the discontinuance and well as a transition plan for customers.
2. On Page 4 of the Application, the Applicants state that "Guam Cellular has provided high quality mobile wireless services, based upon the CDMA wireless standard, to residents of and visitors to Guam and the CNMI since 1992."
 - i. Please provide subscriber counts for Guam Cellular's mobile wireless services in each of (1) Guam, and (2) CNMI (in particular the three main islands). Please further break down the subscriber counts into two categories: pre-paid subscribers, and post-paid subscribers.
 - ii. Please provide coverage maps for a -95 dBm signal level or better for Guam Cellular's mobile wireless services in each of (1) Guam, and (2) CNMI (in particular the three main islands). Maps should be submitted in a geo-referenced format, such as a shapefile (for ArcMap) or table (for Mapinfo).
3. On Page 5 (bottom) and Page 6 (top), the Application states that "Guam Wireless provides high quality mobile wireless services under the brand name HafaTEL to residents of and visitors to Guam and the CNMI using the GSM wireless standard."
 - i. Please provide subscriber counts for Guam Wireless' mobile wireless services in each of (1) Guam, and (2) CNMI (in particular the three main islands). Please further break down the subscriber counts into two categories: pre-paid subscribers, and post-paid subscribers.
 - ii. Please provide coverage maps for a -95 dBm signal level or better for Guam Wireless' mobile wireless services in each of (1) Guam, and (2) CNMI (in

- iii. particular the three main islands). Maps should be submitted in a geo-referenced format, such as a shapefile (for ArcMap) or table (for Mapinfo).
4. On Page 32, the Application states that DoCoMo is considering using Guam Cellular's 700 MHz and 2.3 GHz license for wireless broadband applications, and indicates that these "installations will enable an enhanced menu of new advanced wireless services for end users, including mobile broadband Internet."
 - i. Please describe what factors will determine whether DoCoMo pursues this course, and the timeline for making that determination.
 - ii. Assuming DoCoMo opts to pursue this course, what is the timeline for making the new advanced wireless services available to end users?
5. On Page 4 of the Opposition, the Applicants state that the transaction will result in service-related benefits, such as fewer dropped calls and improved sound quality.
 - i. Please provide additional specific examples of service-related benefits and discuss how these service-related benefits are merger related.
6. On Page 33, the Application states that "the transaction offers the potential for further price reductions as a result of improved economies of scale and scope long term."
 - i. Please define "long term" as used here (1, 2, 5, or more years).
 - ii. Please describe in detail the benefits that will result from improved economies of scale and scope.
 - iii. Please provide estimates for the benefits or cost savings due to the improved economies of scale and scope long term.
7. Also on Page 33, the Application states: "Furthermore, by consolidating functions such as technological research, system development and marketing, DoCoMo will be able to lower these costs and pass the savings on to consumers as well."
 - i. Please provide estimates of cost savings from consolidating these functions.
 - ii. Please explain specifically how DoCoMo envisions passing the savings on to consumers, including whether it intends to realize this benefit in the form of reduced charges.

8. Also on Page 33, the Application states: "Finally, by consolidating the best practices of Guam Cellular, Guam Wireless and DoCoMo, the combined companies can be more responsive to subscribers' needs."
 - i. Please provide detailed information on how the proposed merged entity would be more responsive to subscribers' needs.

9. On Page 36, the Application states: "Therefore, the proposed transaction does not raise significant subscriber transition issues near term or present a significant competitive concern regarding the reduction of mobile operators in the Guam and CNMI market."
 - i. Please provide information on the changes in cost and technology of roaming to domestic consumers, and any changes to competition in the provision of roaming services.
 - ii. Please provide information on the changes in cost and technology of roaming to international consumers (especially Japan to Guam/CNMI), and any changes to competition in the provision of roaming services.
 - iii. Please explain, in connection with the transition to new technologies (such as W-CDMA), whether customers will be required to purchase new equipment and, if so, how you plan to minimize the disruption of the transition. Please include information on whether customers' existing contracts will be honored or whether customers will be required to enter into new contracts, and whether they will be given the option of terminating service.

10. There are several references in the Application to the enhancement of global roaming capability as a benefit of the proposed transaction. (*See, e.g.*, Application at 32.) In the Opposition, the Applicants reference in several instances the improved roaming services that will result from the transaction for Japanese travelers. (*See, e.g.*, Opposition at 4.)
 - i. Please explain whether DoCoMo's proposed investment will enhance roaming capability solely between Guam/CNMI and Japan, or whether the improvement will affect roaming between Guam/CNMI and other countries as well.

11. On Page 4 of the Opposition, the Applicants state that the merger will provide Guam Cellular with "additional resources for the technical upgrades necessary to satisfy Enhanced 911 requirements, obligations under CALEA, and other similar responsibilities." Commission records indicate that no Public Safety Answering Points have requested that Guam Cellular provide Enhanced 911 service.

- i. Please state whether Guam Cellular's network is currently capable of satisfying, and is currently in compliance with, the E911 and CALEA requirements and similar public safety obligations under Commission rules.
- ii. If there is currently no demand for Guam Cellular to provide enhanced public safety benefits, what is the benefit of DoCoMo's investment of additional resources in Guam Cellular to provide such services?