



September 29, 2006

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

*Via Electronic Filing*

**Re: Comments of the CDMA Development Group Regarding the Commission's September 15, 2006, Request for Information Concerning the Proposed Transfer of Control of Guam Cellular and Paging, Inc. and Assignment of Licenses Held by Guam Wireless Telephone Company, L.L.C. to DoCoMo Guam Holdings, Inc. (WT Docket No. 06-96)**

Dear Secretary Dortch:

The CDMA Development Group ("CDG"), on behalf of its members, submits these comments regarding the Commission's recent request for information in the above-captioned proceeding sent to the applicants on September 15, 2006.<sup>1</sup>

The CDG is a non-profit, international consortium of over 110 companies, including the world's leading operators and manufacturers of digital cellular, personal communications services, and third-generation systems based on Code Division Multiple Access ("CDMA") technology.<sup>2</sup> The CDMA technology platform provides mobile operators with the ability to provide high quality voice and data services to its public and private customers. The CDG's mission is to advocate a progressive, spectrum-neutral approach to regulating the wireless communications market in order to ensure a level playing field for CDMA to compete with other wireless standards, and to safeguard the rights of end users of CDMA-based communications technologies.

CDMA is one of the fastest growing technologies worldwide with over 335 million subscribers across all continents. In the United States, CDMA handsets are carried by *over half* of all mobile subscribers.<sup>3</sup> Moreover, CDMA has played an important role in the development of

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<sup>1</sup> Letter from Katherine M. Harris, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, to NTT DoCoMo, Inc., Guam Cellular and Paging, Inc. and Guam Wireless Telephone Company, L.L.C. (Sept. 15 2006) (hereinafter "Sept. 15 Information Request").

<sup>2</sup> CDMA is a digital air interface that builds on the concept of employing a unique code to distinguish each call, enabling the most efficient use of a given spectrum range, and providing greater capacity over a wireless network. CDMA is a spread spectrum technology that allows many users to occupy the same time and frequency allocations in a given band. It is the basis of several International Telecommunication Union standards for third generation networks, *i.e.*, CDMA2000, W-CDMA/UMTS, and TD-SCDMA.

<sup>3</sup> Statistics obtained from the World Cellular Information Service ("WCIS") website's subscription-based database, by searching under Subscribers\Technologies, then searching under each relevant technology, then by country. The WCIS' home page is located at <https://wcis.emc-database.com>. Printouts of the relevant database searches can be provided upon request.

wireless technologies in Guam and the Commonwealth of the Northern Mariana Islands (“CNMI”). For example, Guam Cellular currently operates a CDMA2000 network, and has recently discussed plans to improve the data capabilities of its network by upgrading to CDMA2000 1xEV-DO. In fact, the applicants in this proceeding rely, in part, on the presence of four different technology standards in Guam and CNMI—CDMA, TDMA, iDEN and GSM—in arguing that the proposed transaction will serve the public interest, convenience and necessity. Specifically, applicants assert in their public interest statement that “consumers in Guam and the CNMI will have multiple choices of mobile operators, services *and technologies*.”<sup>4</sup> Clearly, the continued diversity in wireless technologies and support of the multitude of CDMA end users in Guam and the CNMI is a key public interest consideration, and was recognized as such by the Commission in its September 15 request for additional information.<sup>5</sup>

What was not explicitly addressed in the request, however, were the crucial national security issues posed by this transaction, particularly with respect to Guam. According to the Central Intelligence Agency, “[t]he military installation on ... [Guam] is one of the *most strategically important* U.S. bases in the Pacific.”<sup>6</sup> The fact that Guam is one of the few U.S. territories in the region, coupled with its unique location (*i.e.*, close enough to the mainland to provide a valuable base from which to protect U.S. interests, but far enough away for it to serve as a base for a surprise attack on the mainland), makes Guam a particularly strategic place for the U.S. military. Moreover, the closure of the U.S. military base in the Philippines in the 1990s further increased the importance of the military installations in Guam. FOREIGN POLICY magazine recently ranked Andersen Air Force Base in Guam as the most important U.S. military base.<sup>7</sup>

Given the crucial military importance of Guam and present national security concerns requiring the attention of individuals throughout the government and military, it is critical that visitors to the region (particularly government and military personnel) have reasonable access to roaming services for their CDMA-based wireless services. While national security issues have been raised in this proceeding in connection with the significant foreign ownership issues,<sup>8</sup> the CDG submits these comments to highlight the nexus between national security issues and reasonable access to roaming for CDMA users.

The CDG also points out to the Commission that there seems to be a more-than-trivial chance that roaming access for CDMA end users may be at risk. DoCoMo Guam’s parent company, NTT DoCoMo, Inc. is the largest mobile operator in Japan and is in the process of transitioning its users to W-CDMA, an IMT-2000 technology that shares certain characteristics with CDMA2000, though the two are not compatible.

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<sup>4</sup> *In Re Application of Guam Cellular and Paging, Inc. Transferor and Assignee, and Guam Wireless Telephone Company, L.L.C., Assignor, and NTT DoCoMo, Inc. Transferee*, Application for Assignment, Transfer of Control, and Petition for Declaratory Ruling, WT Docket 06-96 (filed April 4, 2006) (hereinafter “Lead Application”) at 30 (emphasis added).

<sup>5</sup> Sept. 15 Information Request.

<sup>6</sup> CIA World Factbook—Guam, available at <https://www.cia.gov/cia/publications/factbook/geos/gq.html> (last updated Sept. 19, 2006) (emphasis added).

<sup>7</sup> Daniel Widome, *The List: The Six Most Important U.S. Military Bases*, FOREIGN POLICY (May 2006) available at [http://www.foreignpolicy.com/story/cms.php?story\\_id=3460](http://www.foreignpolicy.com/story/cms.php?story_id=3460).

<sup>8</sup> *In Re Application of Guam Cellular and Paging, Inc. Transferor and Assignee, and Guam Wireless Telephone Company, L.L.C., Assignor, and NTT DoCoMo, Inc. Transferee*, Petition to Deny and Comments of Teleguam Holdings, LLC, WT Docket No. 06-96 (filed June 9, 2006) (hereinafter “Petition to Deny”).

In the Lead Application<sup>9</sup> the applicants note their intention to deploy GSM-based technologies (*e.g.*, GPRS) over Guam Wireless's existing network and to deploy W-CDMA over Guam Cellular's wireless license areas. They do not mention, however, what their specific plans are for the existing CDMA network. Nor do they discuss how they plan to address the particular needs of U.S. government and military personnel, both resident and visiting. The CDG and its members believe that there is an intrinsic value in maintaining a CDMA network in Guam and the CNMI, particularly in order to ensure roaming access for visitors from the mainland United States and other countries (such as Japan and South Korea).

The Commission has asked in its September 15 information request whether the installation of W-CDMA will result in other technologies currently deployed on Guam Cellular's network being discontinued and if so, what the applicants' plans are for transitioning customers.<sup>10</sup> The CDG urges the Commission to further inquire how this would affect (1) roaming end users, particularly end users from the mainland, a significant number of whom are likely to have CDMA handsets, and (2) U.S. government and military personnel, both those who are resident in Guam and CNMI as well as those in need of reasonable roaming access while in the region. With respect to the needs of government and military end users, it may be appropriate for the Commission to specifically seek comments of the executive branch on this issue, if the relevant agencies are not already weighing such issues as part of the "Team Telecom" review.

Should the Commission require any further information on CDMA-based technologies, end-users or any other issue discussed above, please do not hesitate to contact me at +1-714-545-5211 or [plaforge1@cdg.org](mailto:plaforge1@cdg.org).

Respectfully submitted,

**CDMA Development Group**



Perry LaForge  
Executive Director

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<sup>9</sup> Lead Application at 36.

<sup>10</sup> Sept. 15 Information Request at 2.