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June 19, 2007

*Via Electronic Filing*

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: WT Docket Nos. 96-86, 06-150 and 06-169;  
PS Docket No. 06-229  
*Ex Parte Notice*

Dear Ms. Dortch:

On June 18, 2007, Susan Eid for the DIRECTV Group, Inc.; Linda Kinney and Nolan Daines for EchoStar Satellite, L.L.C.; Richard Whitt for Google Inc.; Christopher Libertelli for Skype Communications S.A.R.L.; and Michael Gottdenker and the undersigned for Access Spectrum, L.L.C., all on behalf of The Coalition for 4G in America, which also includes Intel Corporation and Yahoo! Inc., met separately with (1) Chairman Kevin J. Martin and Erika Olsen; and (2) Commissioner Jonathan S. Adelstein, Barry Ohlson, Margaux Berwitt, and Chris Naoum. Later on the same day, Ms. Eid, Ms. Kinney, Mr. Daines, Mr. Libertelli, Andrew Rein for Access Spectrum L.L.C., and the undersigned met with Bruce Gottlieb and Connor Raso of Commissioner Copps' office. During each meeting, representatives for the 4G Coalition urged the Commission to take action consistent with the Coalition's comments, submitted on May 23, 2007 in the above-referenced proceedings, and the attached slides.

Pursuant to the Commission's rules, this letter is being submitted for inclusion in the public record in the above-referenced proceedings.

Sincerely,

/s/ Ruth Milkman  
Ruth Milkman

Attachment

cc: Chairman Kevin J. Martin      Commissioner Jonathan S. Adelstein      Erika Olsen  
Barry Ohlson      Margaux Berwitt      Chris Naoum  
Bruce Gottlieb      Connor Raso

# **Promoting New Entry and New Technology in the Upper 700 MHz Band**

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**Coalition for 4G in America  
June 2007**

## Recommendations of Coalition for 4G in America: Timing and Band Plan

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- The Congressionally-mandated DTV transition must remain on track, and we need six months between rules and auction
- FCC should adopt Band Plan 3, with the C Block licensed in REAGs and the D Block licensed in MEAs
  - Band Plans 1 and 2 must be rejected because they eliminate public safety nationwide interoperability in the border regions, represent an unacceptable risk to Public Safety, and create business model uncertainty for commercial bidders
  - When considered in conjunction with the Lower 700 MHz band, which is set up for smaller entities, Band Plan 3 provides the best mix for multiple network operator models

## Recommendations of Coalition for 4G in America: Band Plan and Auction Rules

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- FCC should adopt a band plan and auction rules that facilitate nationwide new entry and new technologies
  - Large spectrum blocks (*i.e.*, 11 MHz paired) and large geographic sizes (*i.e.*, REAGs/nationwide) are critical for large, major new entrants
  - Limited combinatorial bidding, with nationwide packages, enables a variety of entry strategies
    - Band Plan 3 – two national packages: one each for the C and D Block
    - Band Plans 4 & 5 – national packages for the C, D, and E Blocks, plus nationwide cross-block packages for the C/D and D/E Blocks
  - Two-sided auctions (*e.g.*, the Access Spectrum “option variant”) promote efficient spectrum aggregation for 4G technologies

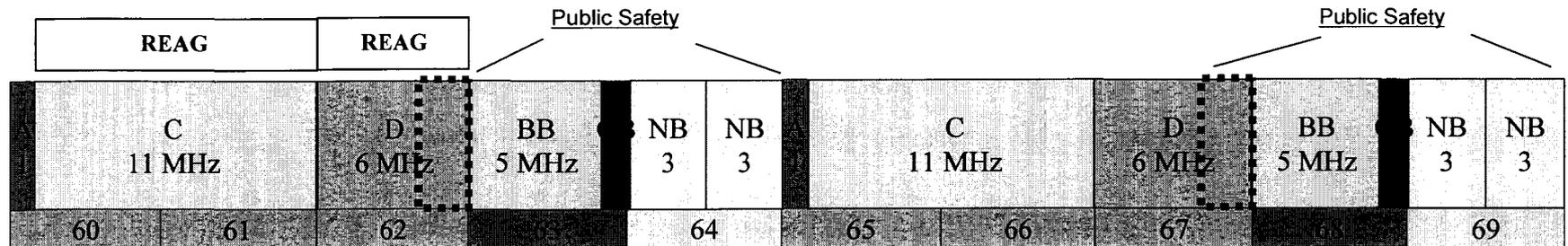
## Recommendations of Coalition for 4G in America: Performance Requirements

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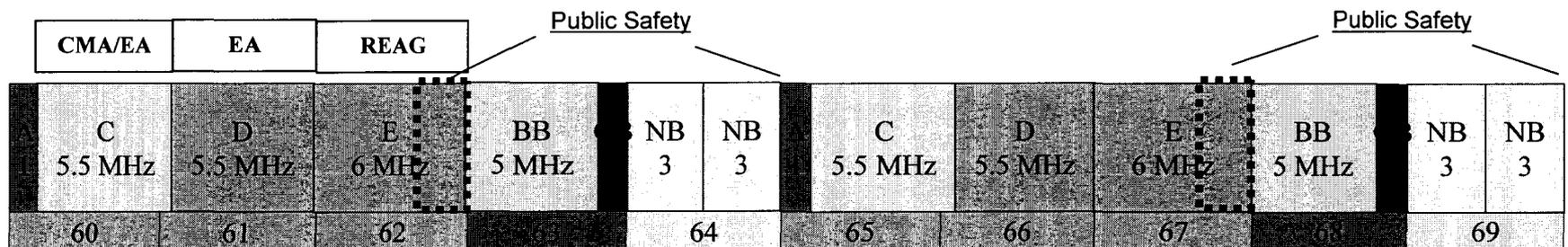
- The “substantial service” standard and corresponding safe harbors should be retained for the 700 MHz licenses
- If the Commission decides to employ a more stringent standard, it should adopt a “substantial service plus” performance standard that requires licensees to:
  - Satisfy the substantial service obligation in each EA served
  - Provide substantial service to at least 25% of EAs by February 2014
  - Ensure that at least 15% of the initial deployment is in rural EAs

# Band Plans – Set 1

## ➤ Band Plan 1



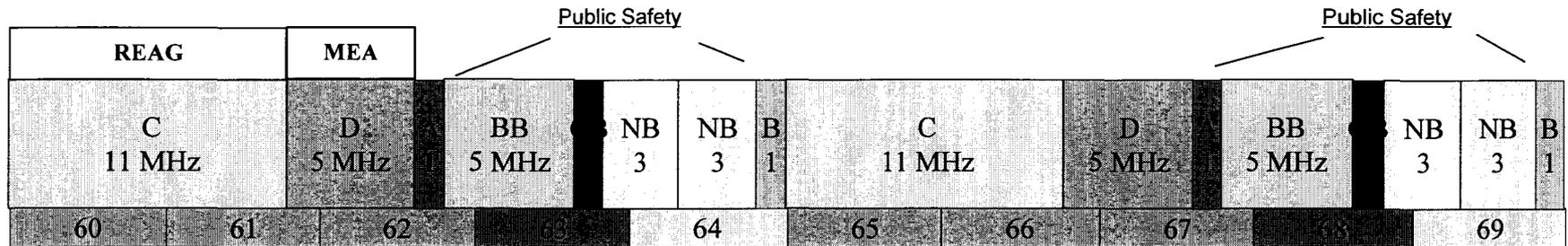
## ➤ Band Plan 2



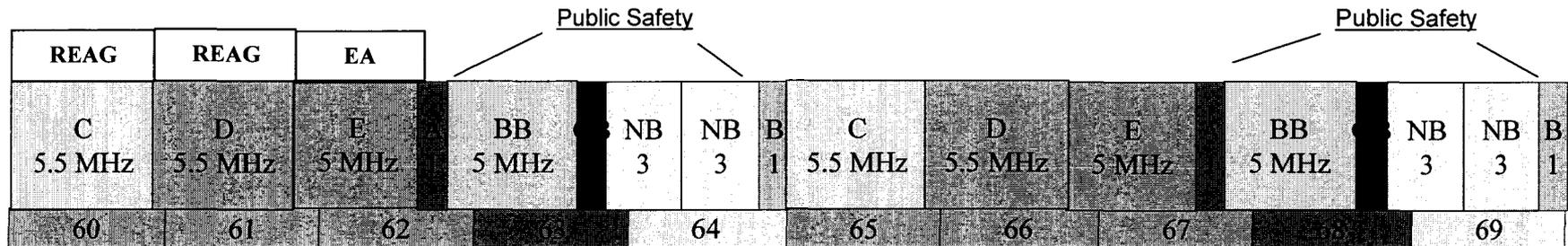
- Note: dotted black line indicates current B Block licensees (2x2 = 4 MHz) which hold licenses covering about 15% of the country leaving a 4 MHz pair or 8 MHz in these areas
- Note: these proposals attempt to solve the international border issues through the use of a “temporary easement” instead of a “permanent shift” as in Band Plans 3, 4 and 5; the “temporary easement” does not solve public safety’s interoperability issues

# Band Plans – Set 2

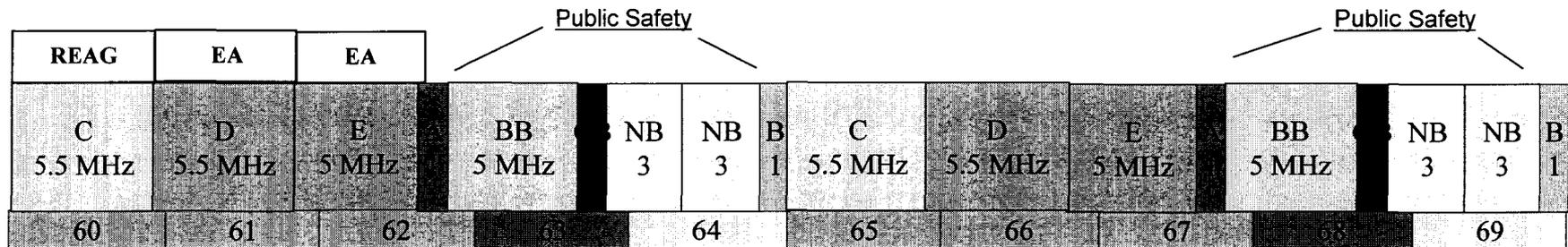
## ➤ Band Plan #3



## ➤ Band Plan #4



## ➤ Band Plan #5



## Members of the Coalition for 4G in America

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The DIRECTV Group, Inc.

EchoStar Satellite, L.L.C.

Google Inc.

Intel Corporation

Skype Communications S.A.R.L.

Yahoo! Inc.

Access Spectrum, L.L.C.