

700 MHz Petitions for Reconsideration

**Presentation to
Aaron Goldberger
Office of Chairman Kevin J. Martin**

CTIA – The Wireless Association®

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Efforts to Bias Commission Auctions

- CTIA opposes Frontline Wireless’s continued attempts to condition and control the licensing process in favor of their particular business model.
 - Frontline’s “screen” proposal is a blatant attempt to limit bidder eligibility, resulting in less competition for the spectrum.
 - Frontline’s request that the Commission mandate a “wholly new” network in the D block is solely designed to dissuade incumbents from bidding on the spectrum – to the detriment of Public Safety.
- CTIA also opposes the Ad Hoc Public Interest Spectrum Coalition’s proposal to prevent a bidder from winning both the D block and any C block license.
 - CTIA has long supported open and free auctions in which all qualified bidders can participate.

CTIA Supports Rational Changes to the Build Out Requirements

- CTIA supports proposals by a number of commenters that adjust Commission build out policies to market realities.
 - The Commission should extend population-based coverage requirements to the CMA and EA licenses.
 - Alternatively, if the Commission retains the geographic build out requirements, CTIA supports proposals to exclude certain areas from the calculation of unserved geographic areas.
 - Bodies of water
 - Historical areas
 - ZIP codes with fewer than 5 persons per square mile
 - Areas wholly surrounded by served area
 - Tribal lands on which the tribe refuses to allow service

CTIA Opposes Policies That Unfairly Penalize Auction Participants

- “Keep what you use” should only be triggered by a legitimate request by a qualified third party for the spectrum.
 - Auction winners should also be permitted to keep a small expansion area around existing coverage if “keep what you use” is triggered.
- The Commission should eliminate penalties on licensees above and beyond “keep what you use” and shortened license terms.
 - Additional sanctions are unnecessary in light of other Commission penalties.
- CTIA supports commenters who call for the elimination of the default payment rule for D block auction winners who negotiate with the Public Safety Spectrum Licensee in good faith.
- The Commission should be wary of the commercial impact of extending the anti-collusion rule on all short-form applicants through not one, but two, auctions.