



June 4, 2008

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Washington, DC 20554

Re: **Ex Parte Notice**  
WT Docket No. 07-195

Dear Ms. Dortch:

On Wednesday June 4, 2008, Neville Ray, Tom Sugrue, Kathleen O'Brien Ham and Pablo Tapia of T-Mobile USA, and Tom Dombrowsky (Engineering Consultant) of Wiley Rein LLP met separately with Commission Jonathan Adelstein and his advisor Renee Crittendon as well as with Bruce Gottlieb of Commissioner Michael Copps' office. In these meetings, T-Mobile addressed its concerns about operations in the AWS-3 spectrum and reiterated the need for power limits and out of band emission protections to protect incumbent AWS-1 operations.

In particular, T-Mobile noted that mobile to mobile interference issues, which would occur by allowing AWS-3 spectrum to be used for mobile operations, are extremely difficult to resolve. As the single largest bidder in the AWS-1 auction, T-Mobile urged the Commission to preclude mobile operations in the AWS-3 spectrum and require that this spectrum be limited to base operations only.

Additionally, T-Mobile noted it has recently launched broadband AWS-1 operations in the New York market and plans to roll out service in 25 markets by the end of 2008. T-Mobile asserted it has invested billions of dollars in spectrum rights, mobile equipment and infrastructure and its consumers must be protected from harmful interference by newcomer AWS-3 spectrum license holders. To this end, T-Mobile discussed potential alternatives that could mitigate the interference effects from new AWS-3 licensees to AWS-1 incumbent operations. Additionally, T-Mobile invited the FCC to participate in joint testing of its AWS-1 devices to analyze and isolate the interference issues at stake. T-Mobile also asked the FCC to defer action until it could undergo such an analysis and to consider the AWS-3 item in August at the earliest, as the agency had originally announced.

T-Mobile underscored the importance of the AWS-1 spectrum to its broadband deployment, asserting that it is truly a "new entrant" in this space bringing real competition to the marketplace today. The company's representatives indicated that the

FCC should not craft rules that benefit one company's business plan, at the expense of another, and that the rules should be crafted in a fair and neutral manner to allow other interested parties an opportunity to bid.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, an electronic copy of this letter is being filed for inclusion in the above-referenced dockets. Please direct any questions regarding this filing to the undersigned.

Sincerely,

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

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cc: Honorable Jonathan S. Adelstein, Renee Crittendon, Bruce Gottlieb