

clearw^{ire}

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August 4, 2009

Via Electronic Filing

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Written *Ex Parte* Communication

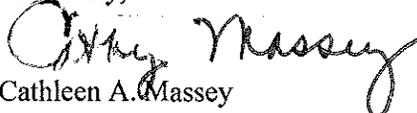
RE: *Sprint Nextel Corporation and Clearwire Corporation, Applications for Consent to Transfer Control of Licenses, Leases, and Authorizations; Applications of Nextel Communications, Inc. and Sprint Corporation for Consent to Transfer Control of Licenses and Authorizations, WT Docket Nos. 08-94; 05-63*

Dear Ms. Dortch:

Clearwire Corporation ("Clearwire") submits this letter to provide notice that it has fulfilled the first part of the 2.5 GHz spectrum build-out condition initially required of Sprint in the *Sprint Nextel Merger Order*.¹ Clearwire agreed to meet these obligations in its application² filed in the Sprint/Clearwire transaction proceeding.³ The first part of the condition required Sprint to offer service in the 2.5 GHz band to a population of no less than 15 million Americans by August 7, 2009.⁴ Clearwire currently provides service utilizing 2.5 GHz spectrum to many millions more people, and in more urban and rural markets than required by the first part of the condition. In fact, pursuant to Clearwire's deployment schedule, it is well on its way to meeting the second part of the 2.5 GHz spectrum build-out condition requiring it to offer service to a total of 30 million Americans in additional markets by August 7, 2011.⁵

Pursuant to Section 1.1206(b) of the Commission's Rules, this *ex parte* communication is being filed electronically. If you have any questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely,


Cathleen A. Massey

¹ *Applications of Nextel Communications, Inc. and Sprint Corporation*, WT Docket No. 05-63, Memorandum Opinion and Order, 20 FCC Rcd 13967 (2005) ("*Sprint-Nextel Merger Order*").

² See Clearwire Corporation, Form 603, File No. 0003462540 (amended Jun. 24, 2008) (Application), Description of the Transaction and Public Interest Statement at fn. 2.

³ *Sprint Nextel Corporation and Clearwire Corporation Applications for Consent to Transfer Control of Licenses, Leases, and Authorizations*, WT Docket No. 08-94, Memorandum Opinion and Order, 23 FCC Rcd 17570 (2008).

⁴ The Commission stated that "[f]irst, within four years from the effective date of this Order, the merged company will offer service in the 2.5 GHz band to a population of no less than 15 million Americans. This deployment will include areas within a minimum of nine of the nation's most populous 100 BTAs and at least one BTA less populous than the nation's 200th most populous BTA. In these ten BTAs, the deployment will cover at least one-third of each BTA's population." *Sprint Nextel Merger Order* at ¶ 164.

⁵ See *Sprint Nextel Merger Order* at ¶ 165.