



December 8, 2009

EX PARTE NOTICE

Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, D.C. 20554

Re: GN Docket No. 09-47
GN Docket No. 09-51
GN Docket No. 09-137
WT Docket No. 05-265
WT Docket No. 09-66
WC Docket No. 05-25

Dear Ms. Dortch:

Yesterday, Neville Ray, Tom Sugrue, Kathleen O'Brien Ham, Sara Leibman, and Patrick Welsh, all of T-Mobile USA, Inc., met with the following members of the FCC's National Broadband Plan Taskforce: Robert Curtis, Arnab Das, David Isenberg, Kevin King, Byron Neal, and Tom Peters, to discuss a variety of issues associated with broadband development, including T-Mobile's views on the subjects covered in the above-referenced dockets.

On special access, T-Mobile must employ a variety of solutions for backhaul that are very market-specific, and backhaul costs are a critical component of broadband deployment. T-Mobile reiterated the position set forth in its comments on NBP Public Notice # 11 that, although the provision of second- and middle-mile services is becoming more competitive in urban markets, in areas with lower population density, the incumbent local exchange carriers' special access services are often the only practical option for second- and middle-mile connectivity. Accordingly, the rates, terms, and conditions for backhaul in these areas frequently are not reasonable.¹

The T-Mobile representatives also addressed roaming consistent with the company's recently-filed ex parte letter and white paper on the subject.² In particular, they urged the

¹ See Comments of T-Mobile USA, Inc. on FCC Public Notice, *Comment Sought On Impact Of Middle And Second Mile Access On Broadband Availability And Deployment*, NBP Public Notice # 11, GN Docket Nos. 09-47, 09-51, 09-137, DA 09-2186 (filed Nov. 4, 2009).

² See Letter from Kathleen O'Brien Ham, Vice President, Federal Government Affairs, T-Mobile USA, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission, and attached paper, *Economic Analysis of the Provision Of Roaming Services in the Wireless Service Industry*,

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Commission to repeal the current “home market exclusion” to the automatic voice roaming requirement (at least to the extent it applies to areas in which requesting carrier has not constructed facilities and commenced selling service), without further delay. In addition, T-Mobile noted its support for extension of the automatic roaming rule to mobile data services, such as wireless broadband Internet access, to allow consumers access to the same broadband services (2G and 3G) while traveling as they have at home. T-Mobile’s experience since 2007 strongly suggests that, absent the changes it seeks, roaming at reasonable rates will not be provided, or may be withheld altogether, diminishing competition at the retail level and harming consumers.

Finally, the T-Mobile representatives emphasized the need for more spectrum as consumers demand more data-intensive services and applications.

Pursuant to section 1.1206(b) of the Commission’s rules, an electronic copy of this letter is being filed.

Sincerely,

/s/ Kathleen O’Brien Ham

Kathleen O’Brien Ham
Vice President,
Federal Regulatory Affairs

cc: Arnab Das
Tom Peters
Robert Curtis
David Isenberg
Kevin King
Byron Neal

Dr. Andrzej Skrzypacz, Professor of Economics, Stanford University Graduate School of Business, *WT Docket Nos. 05-265, 09-66*, (corrected version filed Dec. 1, 2009).

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