



December 24, 2009

Via Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW, TW – A325
Washington, DC 20554

Re: WT Docket Nos. 07-195 and 04-356 – Notification of Oral Ex Parte Presentation

Dear Ms. Dortch:

On December 23, 2009, Geoff Yang, Bruce Sachs, Milo Medin and John Muleta, on behalf of M2Z Networks, met with Chairman Julius Genachowski, Edward Lazarus, Bruce Gottlieb, David Goldman and John Leibovitz to discuss the status of the AWS-3 proceeding in light of the policy framework presented by the National Broadband Plan team during the December 2009 Open Commission Meeting. Congress charged the FCC with developing a National Broadband Plan with the primary goals of increasing broadband adoption and increasing competition in the broadband marketplace.

Consistent with its previous filings, M2Z outlined the critical need to place certain public interest obligations on the AWS-3 band including the requirement for the licensee to: (1) abide by open access and open platform regulations; (2) meet aggressive nationwide build-out milestones; and (3) make available nationally a free basic broadband tier of service using this spectrum band. These public interest obligations, in combination with the use of innovative advanced wireless technologies made possible through the use of large blocks of unpaired spectrum, will help increase and facilitate consumers' adoption of broadband by directly lowering the cost of access, creating a wholesale broadband network that enables nationwide roaming for consumers and developing a vibrant ecosystem of related end-user equipment and applications that are essential to making broadband service relevant to all consumer segments.

M2Z also highlighted that the AWS-3 band is among the 50 MHz of spectrum the Commission has identified as being in its current "spectrum pipeline." Resolving the AWS-3 proceeding and quickly assigning the spectrum with these public interest obligations will generate a significant increase in consumer welfare which several economic studies in the record have estimated to be in excess of \$18 billion in net present value over a 10 year period. Finally, by applying these innovations in public policy and technology to the AWS-3 band,

Ms. Marlene Dortch

December 24, 2009

p. 2

the FCC will be creating marketplace incentives for entrepreneurs and investors to make this highly underutilized spectrum a critical part of private sector solutions for increasing adoption and competition as called for by the National Broadband Plan policy framework report from earlier this month.

Pursuant to Section 1.1206(b) of the Commission rules, an electronic copy of this letter is being filed. Please let me know if you have any questions regarding this submission.

Sincerely,

A handwritten signature in black ink, appearing to read 'Uzoma Onyeije', with a long horizontal stroke extending to the right.

Uzoma Onyeije

cc: Chairman Julius Genachowski
Mr. Edward Lazarus
Mr. Bruce Gottlieb
Mr. David Goldman
Mr. John Liebovitz

Innovation. Freedom.