



January 25, 2010

EX PARTE NOTICE

VIA ELECTRONIC SUBMISSION

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

Re: WT Docket No. 06-150
PS Docket No. 06-229
GN Docket No. 09-47
GN Docket No. 09-51
GN Docket No. 09-137

Dear Ms. Dortch:

On January 22, 2010, Tom Sugrue, Kathleen O'Brien Ham, and Neville Ray (via video conference) met with Admiral James Barnett, Chief of the Public Safety and Homeland Security Bureau, Jennifer Manner, Deputy Chief of the Public Safety and Homeland Security Bureau, and Tom Peters of the Broadband Task Force. During the meeting, T-Mobile urged the Commission to auction D Block for commercial use without onerous obligations and to establish a flexible framework for a public/private partnership for public safety broadband access. The discussion was consistent with the attached presentation.

Pursuant to Section 1.1206(b) of the Commission's rules, an electronic copy of this letter is being filed with the office of the Secretary. If you have any questions regarding this filing, please contact the undersigned.

Respectfully submitted,

/s/Kathleen Ham

Kathleen O'Brien Ham
Vice President
Federal Regulatory Affairs

Attachment

Ms. Marlene H. Dortch
January 25, 2010
Page 2 of 2

cc: Admiral James Barnett
Jennifer Manner
Tom Peters

T-MOBILE'S PROPOSAL FOR D BLOCK AND A PUBLIC/PRIVATE PARTNERSHIP FOR PUBLIC SAFETY BROADBAND ACCESS

January 22, 2010



D Block

- Framework

1. Auction for commercial use
2. Support legislation directing auction proceeds toward funding development of nationwide, interoperable broadband public safety network; possible to structure ongoing proceeds from auction as well, e.g., Telecommunications Development Fund earns money on interest in FCC auction deposits
3. D Block licensee(s) must deploy devices that tune across the 700 MHz band
4. The build-out requirements same as Upper 700 MHz – population-based, with signal coverage to at least 40% of the population within 4 years and at least 75% of the population within 10 years of the license term
5. D Block licensee(s) and PS to work together to develop and implement interoperability standards

- Options

1. To insure interoperability, may be necessary to impose technology standard on D Block (i.e., LTE) – T-Mobile would do LTE
2. To ensure that at least one carrier offers Priority Access, may be necessary to impose requirement on D Block
3. Nationwide license for D Block preferred, but licenses based on smaller areas (e.g., REAGs, MEAs, the 55 public safety regional planning committee areas) also acceptable. In the latter case, combinatorial bidding would improve the efficiency and equity of the auction

Public/Private Partnership for Public Safety Broadband Access

- Framework
 1. Provide PS with multiple options and partners to develop a nationwide wireless broadband network, while ensuring the commercial viability of the D block. PS could:
 - Build out a PS network using its existing 10 MHz of broadband spectrum
 - Lease some or all of its 10 MHz to a commercial operator in return for access to commercial networks
 - Share networks with commercial operators in 700 MHz band
 2. PPP not limited to D Block licensee(s)
 3. PS agencies allowed to use new or existing grant programs for funds
 4. PS could work with commercial providers to develop and implement interoperability standards
 5. PS could negotiate priority access to commercial networks in times of emergency (similar to existing WPA for voice)
 6. PS devices required to tune across the 700 MHz band to enable roaming
 - Options
 1. To insure interoperability, may be necessary to impose technology standard on 700 MHz PS systems (i.e., LTE)
 2. To ensure efficient use of spectrum, FCC should consider establishing transition of 14 MHz narrowband (12 MHz + 2 MHz guard band) to broadband use over time. Voice traffic could ride on top of broadband platform
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