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January 26, 2010

Notice of *Ex Parte* Communications

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W. Room TW-A325  
Washington, DC 20554

**Re: CC Docket Nos. 96-45, 01-92; GN Docket Nos. 09-51, 09-157;  
WC Docket Nos. 05-25, 05-337; WT Docket Nos. 06-150, 09-66;  
ET Docket Nos. 02-380, 04-186; WTB Docket No. 07-121; PS Docket No. 06-229**

Dear Ms. Dortch:

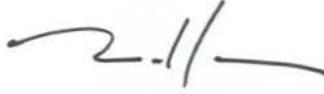
Yesterday, Sprint Nextel Corporation ("Sprint Nextel") representatives Lawrence Krevor, Vice President, Government Affairs; Charles McKee, Vice President, Government Affairs; Trey Hanbury, Director, Government Affairs; and Richard Engelman, Director, Government Affairs, met with Commissioner Copps, John Giusti and Jennifer Schneider (both legal advisors to Commissioner Copps); and with Commissioner Baker and Christi Shewman, her legal advisor.

During the meetings, the Sprint Nextel representatives explained their view that public safety providers will enjoy far better prices, faster innovation, better service, and more rapid and extensive 4G broadband service availability if multiple carriers are able to compete on a level playing field for the opportunity to meet public safety's broadband requirements. The Sprint Nextel representatives also reiterated the company's view, now jointly endorsed by T-Mobile, MetroPCS, Clearwire, Access Spectrum, and the Rural Telecommunications Group, that the FCC should: (i) encourage public-private partnerships for 4G wireless broadband on a band-neutral, technology-neutral, competitively neutral basis; and (ii) auction the D Block in a way that encourages public-private partnerships between commercial operators and public safety providers.

Separately, the Sprint Nextel representatives and Michele Farquhar of Hogan & Hartson, LLP, Counsel to Sprint Nextel, discussed the company's proposals to expedite and advance wireless broadband deployment, innovation and investment in the FCC's broadband policy proceedings. They highlighted the need for the FCC to: (1) encourage the availability of cost-effective backhaul; (2) reform the Universal Service Fund to recognize broadband deployment; (3) eliminate an inter-carrier compensation system designed to subsidize old technology; (4) unleash spectrum for commercial mobile broadband use; (5) timely and vigorously enforce relocation and technical rules; and (6) continue flexible and efficient licensing of mobile broadband spectrum.

If any questions arise concerning this submission, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trey Hanbury', with a stylized flourish at the end.

Trey Hanbury, Esq.  
Director, Sprint Nextel Corporation

cc: Commissioner Copps  
Commissioner Baker  
John Giusti  
Jennifer Schneider  
Christi Shewman

# **SPRINT NEXTEL BROADBAND POLICY PROPOSALS**

GN Docket Nos. 09-51, 09-157; WT Docket No. 09-66

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## **Key Steps to Advance Wireless Broadband Deployment, Innovation and Investment:**

- *Address the Special Access Market Failure Undermining Competitive Entry*
  - *Modify the Regulatory Compensation Structure to Promote Rather than Tax Broadband Deployment*
  - *Adopt Final Rules and Auction 50 MHz of Spectrum Ready for Licensing*
  - *Timely Enforce Relocation, Cost Recovery and Technical Rules*
  - *Promote Technologically and Competitively Neutral Flexible Use Policies*
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## **Facilitate the Availability of Cost-Effective Backhaul**

- Reform Special Access to correct anti-competitive rates, terms, and conditions
- Complete any additional data collection quickly to prevent further delay
- Enable innovative backhaul alternatives (TV White Spaces, Microwave Dark Spaces)

## **Reform the Universal Service Fund to Recognize Broadband Deployment**

- Recognize that local loops provide more than one service and allocate cost accordingly
- Shift support to consumers rather than carriers to encourage broadband adoption
- Give consumers the ability to choose the services they want to support
- Adopt a policy that does not exclude new entrants and technologies from USF support

## **Eliminate an Inter-Carrier Compensation System Designed to Subsidize Old Technology**

- Stop the practice of charging for the exchange of voice data
- Remove incentives that encourage the preservation of outmoded network architectures
- Increase efficiency by requiring carriers to accept the exchange of IP traffic
- Ensure that incumbents continue to have the obligation to interconnect in an IP world

## **Unleash Spectrum for Commercial Mobile Broadband Use**

- Assign the 50 MHz in the FCC's "Spectrum Warehouse" ASAP
- Reassign or reallocate at least 20 MHz of the 2 GHz MSS spectrum
- Resolve the SDARS/WCS proceeding to unleash WCS spectrum
- Allow limited licensing of the TV White Spaces for fixed point-to-point services
- Authorize use of Microwave Dark Spaces
- Develop Spectrum Test Beds, including in a portion of the V-Band
- Identify and allocate additional spectrum for commercial mobile licensed use
- Consider network efficiencies and urban/rural factors in assessing spectrum needs

## **Timely and Vigorously Enforce Relocation and Technical Rules**

- Adopt clear spectrum relocation rules and enforce them quickly and consistently
- Ensure that all beneficiaries of the relocation process pay their fair share of costs
- Maintain active and timely oversight of all parties to the relocation process
- Enforce existing technical and interference rules
- Strengthen OOB limits for unlicensed devices

## **Continue Flexible and Efficient Licensing of Mobile Broadband Spectrum**

- Continue and expand technologically and competitively neutral flexible use policies
- Encourage more efficient and intensive spectrum use
- Avoid authorizing spectrum underlays and overlays
- Modify and harmonize build-out deadlines