



February 5, 2010

Via Electronic Filing

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

Re: Ex Parte Presentation in WT Docket Nos. 07-195, 04-356 and GN Docket Nos.
09-51, 09-157

Dear Ms. Dortch:

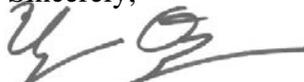
On February 4, 2010, John Muleta, Kevin Lo and the undersigned met with Jane Jackson Margaret Wiener, Blaise Scinto, Peter Daronco, Gary Michaels, Martha Stancill, William Huber and Craig Bomberger to discuss the status of the pending AWS-3 rulemaking. During the meeting, M2Z advocated that the FCC should adopt a nationwide build-out requirement that includes the AWS-3 licensee providing a free basic tier of broadband services. Auctioning AWS-3 with this type of public interest obligation, in addition to open access and open platform, will help address the nation's challenge to provide all American consumers with universal and affordable access to broadband.

M2Z also discussed the Wilkie and Rosston/Wallsten studies submitted into the record demonstrating the value of these obligations, which are expected to generate \$18 to \$25 billion in direct consumer benefits. These benefits far outweigh the potential costs of placing such public interest obligations. Finally, M2Z discussed the concerns raised by the Department of Justice ("DOJ") about the skewing of recent FCC spectrum auctions by incumbents that bid based on foreclosure value (the non-economic value that comes from blocking competitors' access to spectrum). In light of DOJ's concern and as with its previous comments, M2Z advocated for structuring the AWS-3 auction so only non-incumbent bidders could participate. It also called for reserve prices and/or minimum opening bids that allowed for broad based participation by potential non-incumbent bidders. The enclosed materials were provided at the meeting and outline the topics of discussion.

Innovation. Freedom.

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 C. Onyeije', with a long horizontal stroke extending to the right.

Uzoma C. Onyeije

cc: Jane Jackson
Margaret Wiener
Blaise Scinto
Peter Daronco
Gary Michaels
Martha Stancill
William Huber
Craig Bomberger