February 5, 2010

**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: WT Docket No. 04-356, 05-256, 06-150, 07-195, and 09-66
PS Docket No. 06-229,
GN Docket Nos. 09-47, 09-51, 09-137, 09-191 and 09-157
WC Dockets No. 07-52

Dear Ms. Dortch:

On February 4, 2010, Tom Sugrue and the undersigned of T-Mobile USA, Inc. ("T-Mobile"), met with Commissioner Meredith Attwell Baker to discuss a variety of issues of importance to the company. The discussion was consistent with the attached presentation and T-Mobile's filings in the above-referenced dockets. .

T-Mobile representatives addressed roaming consistent with the company's recently-filed ex parte letter and white paper on the subject.[1] In particular, they urged the 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. T-Mobile also 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.

[1] *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*, 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).

T-Mobile USA, Inc.
401 9th Street, NW Suite 550
Washington, DC 20004

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: Commissioner Meredith Attwell Baker

T-Mobile USA, Inc.
401 9th Street, NW Suite 550
Washington, DC 20004

T-Mobile

nnovative Solutions for Government

FCC Commissioner Meredith Attwell Baker
February 4, 2010

# Who We Are

## Overview

- ✓Headquartered in Bellevue, WA
- ✓44,000 employees nationwide

## 4th largest national wireless carrier

- ✓Independent—unaffiliated with any U.S. wireline interest
- ✓Over 33 million customers

## Full Service Provider

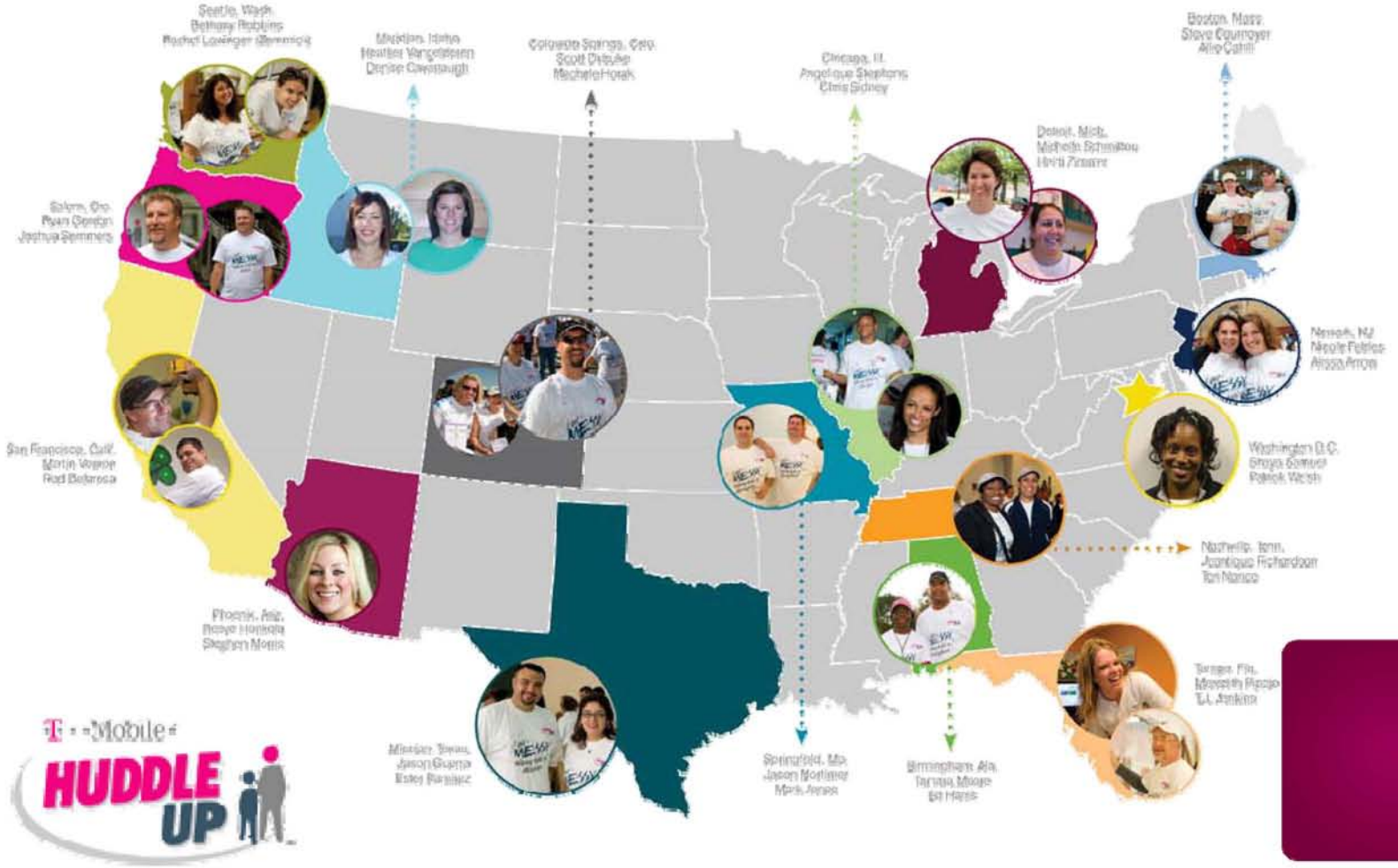
- ✓Voice
- ✓Data
- ✓WiFi  Hotspots

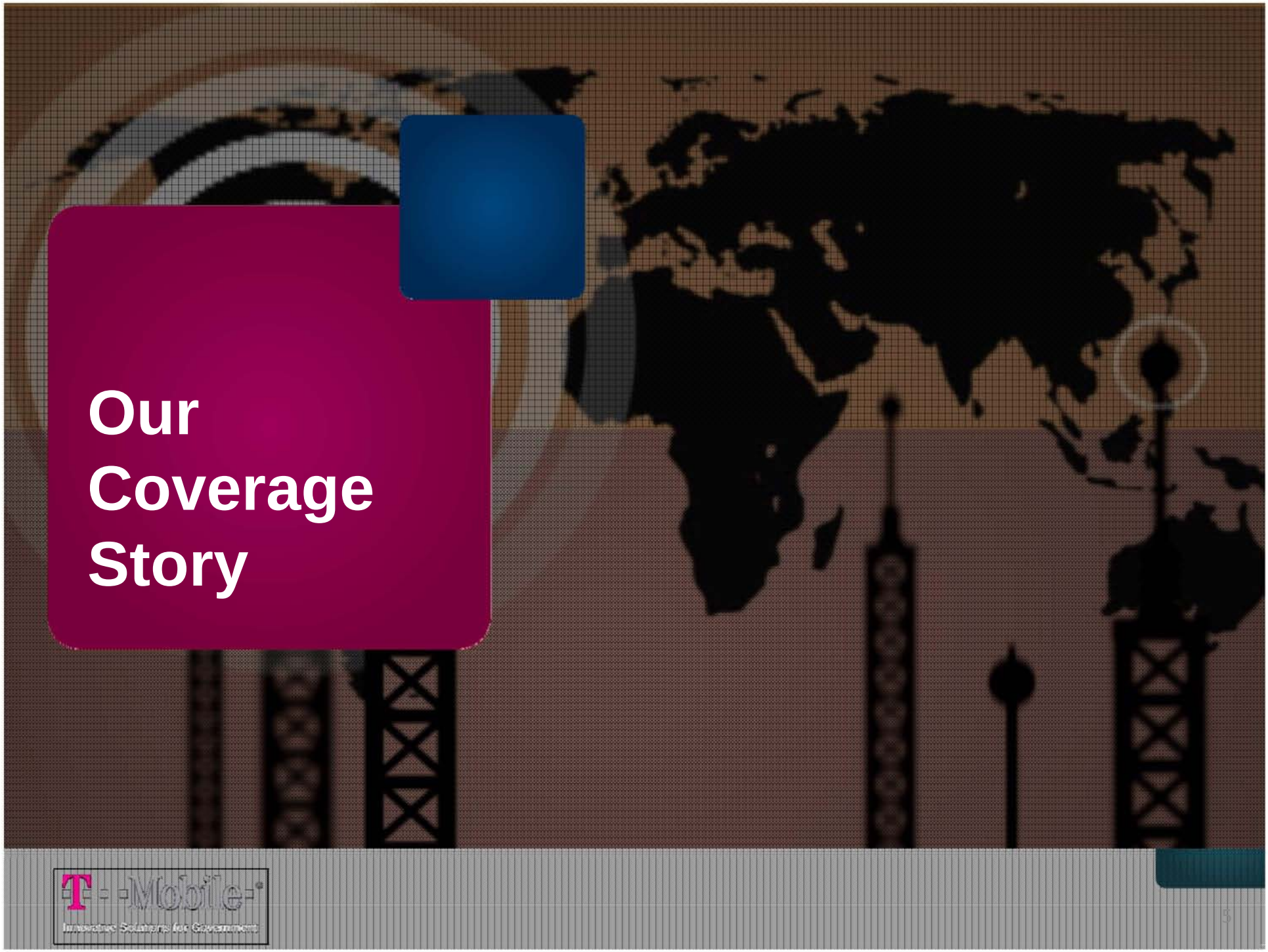
# Recent accolades

FORTUNE
THE 100 BEST COMPANIES TO WORK FOR

2009 WORLD'S MOST ETHICAL COMPANIES
WWW.ETHISPHERE.COM

# Giving back to the community




Our
Coverage
Story

# Our network is big, fast, & growing (in both size and speed)

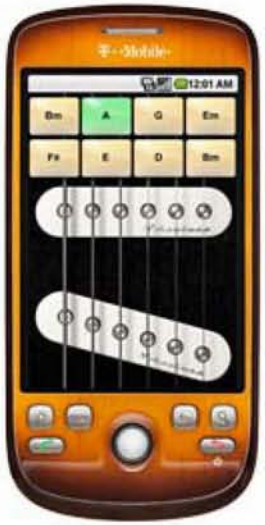
- **3G Coverage:** 210M people with footprint expanding steadily
- **Investment:** $10 Billion
- **Speed:** fast HSPA (7.2 Mbps) and 4G quality HSPA+ (21 Mbps) coming soon

# Innovative Products

Motorola CLIQ

MyTouch3G with Google

BlackBerry® Bold™ 9700 with Wi-Fi Calling



MyTouch3G Fender Edition™

# New unlimited plans

Even More

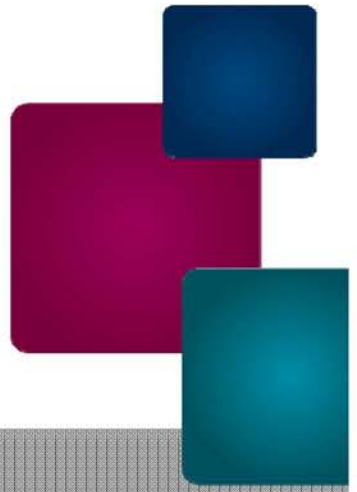
- ✓ Unlimited Plans starting at $49.99
- ✓ No Annual Contract/No ETF Offerings
- ✓ Equipment Installment Plans

# Issues Facing T-Mobile

- Spectrum
  - Critical need for additional spectrum under 3GHz
- Roaming
  - In-market exception should be eliminated
  - Data roaming should be covered
- Network Neutrality
  - Wireless is competitive and rapidly changing. Regulation unnecessary and potentially harmful
  - Reasonable network management critical to ensure best user experience for wireless
- Backhaul
  - Major cost of broadband deployment
  - Few competitive choices in low density areas

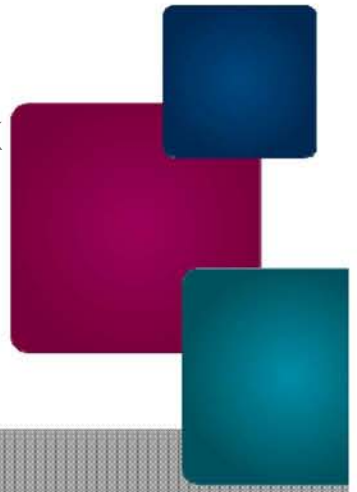
# T-Mobile Spectrum Priorities

- 700 MHz D Block
- Reallocation of 25 MHz from 1755-1850 band



# T-Mobile's 700 MHz D Block Proposal

- D Block should be auctioned for commercial use to ensure the best economic use of the spectrum
  - Filed a study by Dr. Kostas Liopiros on December 22 detailing the economic and technical advantages of the T-Mobile proposal
- Supports legislation for proceeds of D Block auction to fund construction of a public safety broadband network
- The public safety network could build, lease, or share its spectrum with any pre-existing licensee
  - Reasonable conditions attached to D block to facilitate interoperability with the public safety broadband network



# D block Appeal to T-Mobile

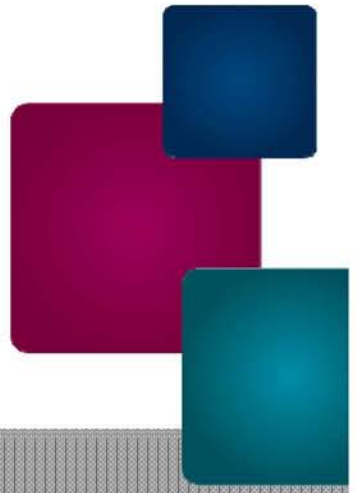
- T-Mobile currently has no lower band spectrum
- 700 MHz and 850 MHz bands are dominated by the “Big 2”
- 700 MHz spectrum would enable:
  - Improved suburban in-home coverage
  - Extended outdoor footprint
  - Entry into underserved rural areas
  - Leveraged development of a 700 MHz ecosystem
  - Key plank in transition to LTE

# 1755-1850 Band

- U.S. Government currently has operations in the 1755-1850 band
- 25 MHz reallocation would leave 70 MHz for U.S. Government operations
- Spectrum adjacent to AWS-I band
  - Could be paired with AWS-III and possibly with PCS upper J block
- 50 MHz of newly paired spectrum would be an immensely valuable near-term “down payment” on broader reallocation efforts

T-Mobile
Integrated Solutions for Government

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



# D Block

## Framework

1. Auction for commercial use
2. Support legislation directing auction proceeds toward funding development of nationwide, interoperable broadband public safety network
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