



July 14, 2010

Via Electronic Filing

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

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

Dear Ms. Dortch:

On July 13, 2010, John Doerr, Milo Medin, John Muleta, Kevin Lo and Alix Burns, on behalf of M2Z Networks, met with Chairman Julius Genachowski, Edward Lazarus, Rick Kaplan, Bruce Gottlieb, Sharon Gillett, Julius Knapp, Stuart Benjamin, John Leibovitz, Zachary Katz, Evan Kwerel, Blaise Scinto, Peter Daronco, and Jonathan Baker. The participants discussed M2Z's proposal for service and auction rules for AWS-3. Specifically, M2Z explained how build-out requirements for both availability (to 95% of the US population) and affordability (a free basic 768kbps wireless broadband service) would be transformative to U.S. in terms of new jobs, growth and innovation. Attached are the handouts that were discussed and distributed at the meeting.

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', written over a horizontal line.

Uzoma C. Onyeije

cc: Chairman Julius Genachowski, Edward Lazarus, Rick Kaplan, Bruce Gottlieb, Sharon Gillett, Julius Knapp, Stuart Benjamin, John Leibovitz, Zachary Katz, Evan Kwerel, Blaise Scinto, Peter Daronco, Jonathan Baker

Innovation. Freedom.

## **Proposed Rules for the AWS-3 Auction:**

### **Service Rules:**

- Build-out requirements using two population based threshold obligations:
  - Network construction requirement on the licensee to build a broadband network that covers 95% of the US population within 10 years and with an intermediate milestone of 50% of the US population within 5 years.
  - A requirement on the licensee to construct this network with the capability of providing a free basic broadband service at 768 Kbps to 20 million subscribers by the end of the same 10 year period, pro-rata with the intermediate milestones.
- Nationwide spectrum license with technical flexibility
  - Out-of-band emissions (OOBE) to  $43+10\log(P)$  – consistent w/FCC precedent
- Open Access, Open Devices Requirement on AWS-3 (700MHz “C” Block)

### **Auction Rules:**

- Low minimum opening bid or reserve price of \$0.005 per MHz-pop
  - Examples: lower 700Mhz (2002), 1.4Ghz (2007), residual 2.5Ghz (2009)
- Eligibility requirements: AWS-3 be licensed for a new nationwide entrant
  - All existing commercial wireless licensees be excluded from participating in the auction (to prevent bidding based on “foreclosure value”)
- Timing: Auction in 1H 2011 per NBP (or sooner)



### **Impact**

- US will be the first country in the world to provide guaranteed availability of basic broadband service to its citizens.
- Creating a new nationwide broadband competitor.
- A transformative network enabling a new generation of innovative applications, devices and accessibility.