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September 29, 2010

57739.00050

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: CG Docket No. 09-158 (Bill Shock) Oral *Ex Parte* Communication

Dear Ms. Dortch:

On September 28, 2010, Mark Stachiw, Executive Vice President, General Counsel and Secretary of MetroPCS Communications, Inc. (“MetroPCS”) and Carl W. Northrop of Paul, Hastings, Janofsky & Walker LLP (“Paul Hastings”) met with Colleen Heitkamp and Richard Smith of the Consumer & Governmental Affairs Bureau.

Oral presentations made during this conference were consistent with the pleadings filed on behalf of MetroPCS in the above-referenced proceeding. Specifically, MetroPCS advocated that regulatory intervention should be reserved for situations where competitive market forces are not working to protect and benefit consumers. Here, the competitive market is working properly and consumers have their choice among a number of exciting wireless options. In addition, a “one size fits all” approach to avoiding unexpectedly high bills and keeping customers informed ignores the diversity of business models and customer needs that are in the market.

Finally, if the Commission does enact any kind of “bill shock” regulations, there should be an exception for pre-paid providers, such as MetroPCS, as the entire MetroPCS prepaid, fixed price, “all-you-can eat,” tax and regulatory fee inclusive service model is designed to prevent its customers from being surprised at the end of the month by unexpected charges. Messrs. Stachiw and Northrop also cautioned that the Commission must be sensitive to intellectual property (“IP”) issues when considering action in the bill shock proceeding. The Commission should avoid imposing automated notification mandates or other requirements that would require licensees to pay unreasonable licensing fees to vendors who claim IP rights in the necessary technology.

Kindly refer any questions in connection with this letter to the undersigned.

Marlene H. Dortch  
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carl W. Northrop". The signature is fluid and cursive, with a large initial "C" and "N".

Carl W. Northrop  
of PAUL, HASTINGS, JANOFSKY & WALKER LLP

cc: (via email) Colleen Heitkamp  
Richard Smith

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