

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Improving Communications Services	)	WTB Docket No. 11-40
For Native Nations by Promoting	)	
Greater Utilization of Spectrum over	)	
Tribal Lands	)	

**COMMENTS OF AT&T INC.**

AT&T Services, Inc. (“AT&T”) files these comments in response to the Public Notice released by the Federal Communications Commission (the “Commission”) seeking comment on ways to improve use of spectrum over Tribal lands.

AT&T supports the Commission’s efforts to encourage further deployment and use of spectrum for wireless services over Tribal lands. As stated in the comments of Blooston Rural Carriers, CTIA and Verizon Wireless in this proceeding, AT&T agrees that the Commission should focus on voluntary incentive-based mechanisms to accelerate deployment of wireless services on Tribal lands, such as a construction safe harbor and implementing a licensing priority for unserved tribal lands.

Like Blooston, CTIA, and Verizon, AT&T supports the creation of a Tribal lands construction safe harbor. As described in the Notice, such a safe harbor could incent licensees to expand coverage in Tribal lands by giving them additional options for their construction obligations. In addition to building and operating facilities in an unserved or underserved Tribal area, AT&T encourages the Commission to include geographic partitioning and license transfers

to Tribal entities as transactions that qualify for the Tribal lands safe harbor. Further, AT&T agrees with Verizon that the Commission should “avoid creating a safe harbor that permits a licensee to satisfy performance requirements for a large license area like an EA or REAG by service only a small Tribal area or population”<sup>1</sup> as such a safe harbor could be counter-productive to the Commission’s broader goals for spectrum deployment and utilization.

The Notice also proposes to establish a licensing priority that would, in essence, give qualifying Tribal entities priority access to future releases of spectrum covering unserved or underserved Tribal lands, where the Tribal lands are within the geographic area covered by an unassigned Wireless Radio Services license.<sup>2</sup> AT&T agrees that licensing priority for unserved tribal lands could promote greater spectrum utilization in Tribal areas, if implemented as suggested by Blooston and Verizon Wireless. These commenters correctly point out that a licensing priority can only work for areas of Tribal lands that are not already served by wireless coverage.<sup>3</sup>

In addition, AT&T agrees with the Notice that if a Tribal priority is awarded, the Tribal entity must meet all legal, technical and financial requirements to qualify for the license and that all construction and other conditions of the particular license would apply to the Tribal entity as if the license were awarded through the applicable licensing process for the service.<sup>4</sup> All of

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<sup>1</sup> Verizon at p. 4.

<sup>2</sup> Notice at ¶ 35.

<sup>3</sup> Comments of Blooston Rural Carriers (“Blooston”) at p. 5; Comments of Verizon Wireless (“Verizon”) at p.3.

<sup>4</sup> Notice at ¶ 40.

these requirements are necessary to ensure the continuity of service in and between the Tribal and non-Tribal areas.<sup>5</sup>

Respectfully submitted,

AT&T Inc.

By: /s/Terri L. Hoskins

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<sup>5</sup> See also Blooston at p.5; Verizon at p. 3.