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October 17, 2011

BY ELECTRONIC COMMENT FILING SYSTEM

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

Re: Ex Parte Communication – Service Rules for the 698-746, 747-762, and 777-792 MHz Bands, WT
Docket No. 06-150

Dear Ms. Dortch:

On October 13, 2011, Mark Stachiw, Vice Chairman, Secretary & General Counsel of MetroPCS Communications, Inc. (“MetroPCS”), along with Michael Lazarus of Telecommunications Law Professionals PLLC (“TLP”), met with Rick Kaplan of the Wireless Telecommunications Bureau regarding the above-referenced proceeding.

During the meeting, MetroPCS discussed the challenges faced by Lower 700 MHz A Block licensees in deploying services over their license areas. It referenced the fact that MetroPCS may be prohibited from providing service to significant population and geographic areas covered by its Lower 700 MHz A Block license due to Commission rules that require wireless licensees to provide interference protection to Channel 51 licensee operations. Such obstacles, which affect many other Lower 700 MHz A Block licensees, have also prevented the development of equipment and infrastructure necessary to provide services over this spectrum. This problem has been enhanced since the 700 MHz auction due to a number of changed circumstances, including the fact that incentive auctions for broadcast licensees have been continually referenced by Congress and the Commission. MetroPCS urged the Commission to address these challenges in the near-term due to the significant lead times necessary in order to construct 700 MHz systems.

MetroPCS also referenced its Petition for Clarification and Reconsideration of the Commission’s 700 MHz rules regarding performance requirements. MetroPCS stated that the Commission should clarify the portions of the rules which indicate that a licensee may be subject to monetary fines and supplemental license forfeitures for a failure to meet Commission performance requirements. In its present form, the standard that must be met to avoid these further sanctions is impermissibly vague. Having already specified severe automatic penalties (i.e., a two-year reduction in license term) for failing to

Ms. Marlene H. Dortch
October 17, 2011
Page 2

meet an applicable benchmark, it would be inappropriate for the Commission also to impose additional sanctions in the form of fines and license forfeitures when no standard is articulated that puts the licensee on adequate notice of what circumstances will invoke these additional penalties.

Any questions regarding this notice should be directed to the undersigned.

Sincerely,

/s/ Michael Lazarus

Michael Lazarus
of TELECOMMUNICATIONS LAW PROFESSIONALS PLLC

cc (via email): Rick Kaplan