

LUKAS, NACE, GUTIERREZ & SACHS, LLP

8300 GREENSBORO DRIVE, SUITE 1200
MCLEAN, VIRGINIA 22102
703 584 8678 • 703 584 8696 FAX

WWW.FCCLAW.COM

RUSSELL D. LUKAS
DAVID L. NACE
THOMAS GUTIERREZ*
ELIZABETH R. SACHS*
DAVID A. LAFURIA
PAMELA L. GIST
TODD SLAMOWITZ*
BROOKS E. HARLOW*
TODD B. LANTOR*
STEVEN M. CHERNOFF*
KATHERINE PATSAS NEVITT*

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEILA REZANAVAZ
—
OF COUNSEL
GEORGE L. LYON, JR.
LEONARD S. KOLSKY*
JOHN CIMKO*
J. K. HAGE III*
JOHN J. MCAVOY*
HON. GERALD S. MCGOWAN*
TAMARA DAVIS BROWN*
JEFFREY A. MITCHELL
ROBERT S. KOPPEL*

*NOT ADMITTED IN VA

Writer's Direct Dial:
(202) 828-9470
tgutierrez@fcclaw.com

November 28, 2011

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

Attention: Richard Kaplan
James Schlichting
Kathy Harris

Re: 700 MHz Application
File No. 0004621016

Dear Madam Secretary:

Last week, the Commission moved forward on two of three items involved with the referenced application: (1) The AT&T/T-Mobile deal has been proposed to go to hearing and (2) The AT&T/Qualcomm assignment has been recommended for approval. Then AT&T and T-Mobile announced that they would withdraw their merger application. So, the only remaining item is the referenced one.

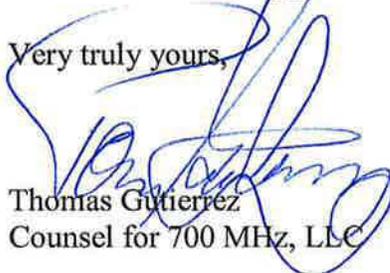
The two items that the Commission acted on were very complex ones. While they have virtually nothing to do with the referenced proceeding, all three were ostensibly linked together by certain carriers who had problems with the two items upon which the Commission recommended action last week. So, even if the Commission were inclined to somehow consolidate the proceedings, as requested, the Commission has now moved beyond that issue, by virtue of acting separately on the other two items – before the AT&T and T-Mobile applicants

Marlene H. Dortch, Secretary
November 28, 2011
Page 2

that they would drop their application. Thus, the request for consolidation can no longer present any reason for delay.

In view of the above, the straightforward non-problematic nature of this transaction and the considerable review that the staff provided to the referenced application in the three month interval between filing and Public Notice, there is no basis for further delay in acting on the application. Accordingly, we again urge that the Commission act on the application at this time.

Very truly yours,



Thomas Gutierrez
Counsel for 700 MHz, LLC