

To US Department of Justice Antitrust Division and Federal Communications Commission,

WASHINGTON -- According to the *Wall Street Journal*, the Federal Communications Commission has approved AT&T's \$1.9 billion acquisition of spectrum licenses from Qualcomm. The licenses are for use of the valuable airwaves in the 700 MHz band — prime spectrum for mobile broadband use, of which AT&T already holds a considerable amount.

Free Press Policy Director **Matt Wood** made the following statement:

"When it comes to spectrum, want and need are two very different things. AT&T obviously wants more spectrum for itself, and less for potential competitors, but it doesn't need this spectrum to improve its own offerings. As the Commission's exhaustive review of the AT&T/T-Mobile transaction proved, AT&T can and should upgrade its own networks to provide better service to customers.

"Reports of data roaming conditions in today's order are encouraging, but those could be of little use unless the Commission resolves the lingering interoperability problems highlighted by Free Press and other opponents of this deal." Some had suggested the FCC rightly impose interoperability requirements on AT&T if it acquires said spectrum and resolve interoperability of the lower bands using the AT&T Qualcomm transaction. While the FCC did impose some conditions on the spectrum transfer it did not do any of the requirements suggested by smaller carriers like Vulcan Wireless.

Sincerely,

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