

AT&T clearly over-played their hand with their attempted merger involving AT&T Mobility and T-Mobile USA that they were forced to abandon due to regulatory opposition. Their overconfidence showed with their TV ads saying "Now with T-Mobile" that they began airing even before regulators had completed their review of this disastrous M&A deal. The fact is AT&T's arrogance showed with their inevitability argument suggesting the deal was a sure thing and nothing any of its critics said mattered. That and the facts presented to the Commission and DOJ helped bring down this awful merger. The evidence submitted into the record in the docket (11-65) involving the transfer of spectrum licenses from Deutsche Telekom AG's T-Mobile USA to T-Mobile against the merger clearly revealed that the deal was not in the public interest. In contrast, AT&T's application to transfer spectrum licenses to T-Mobile USA as part of their breakup agreement does not have the type of anti-competitive issues plaguing AT&T's now abandoned T-Mobile merger. Therefore I encourage the FCC at the end of the commenting and review process for this transaction (12-21) to approve the deal however best the Commission feels appropriate. If any valid concerns are raised in this transaction it should be done only after those issues are addressed. The FCC can either approve this deal conditionally or unconditionally.