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July 2, 2012

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

Re: Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission's Rules to Improve Wireless Coverage Through the Use of Signal Boosters; WT Docket No. 10-4

Dear Ms. Dortch:

On Thursday, June 28, 2012, Michael Goggin, Jeanine Poltronieri, Bill Roughton, and Linda Vandeloop of AT&T, and Scott Delacourt and Steve Merlis of Wiley Rein LLP, representing AT&T, met with John Leibovitz, Roger Noel, Joyce Jones, Becky Schwartz, Erin Griffith, and Clay DeCell of the Wireless Bureau and David Horowitz and Steven Spaeth of Office of General Counsel. Moslem Sawez, from the Wireless Bureau, participated by phone. The meeting focused on the Commission's legal authority to authorize the use of third-party, consumer signal boosters on CMRS carriers' exclusive use spectrum.

AT&T stated that Section 301 of the Communications Act of 1934 (the "Act") prevents the Commission from authorizing the use of third-party, consumer signal boosters on CMRS carriers' exclusive-use spectrum without a license or licensee consent. AT&T also explained that the narrow circumstances under which the Act and Commission's rules authorize licensing of wireless transmitters by mechanisms other than issuance of an individual station license do not apply to signal boosters. Specifically, AT&T stated that signal boosters are not eligible for "blanket licensing" under § 1.903(c) of the rules unless a licensee consents to use of a signal booster on its network. AT&T noted that the Verizon Wireless/Wilson proposal to presume licensee consent upon satisfaction of certain technical standards directly conflicts with Section 301.

The FCC staff responded that it is considering a signal booster licensing regime akin to blanket licensing for mobile handsets, in which licensee consent is required before a signal booster may be operated on a licensee's network. As with mobile handsets, such a regime would allow for licensee conformance testing to determine if a signal booster is compatible with a licensee's network. Staff proposed two ways that a licensee might consent to operation of a signal booster compatible with its network. First, licensees—on a case-by-case basis—could approve requests from individual customers to use signal boosters. Second, licensees could issue public pronouncements (*e.g.*, file letters in ECFS) consenting to use of particular booster models. A licensee's subscribers would then be permitted to use approved signal boosters without seeking individual consent. AT&T expressed support for an explicit carrier consent requirement.

AT&T and FCC staff also discussed the legal implications of “broadband signal boosters.”¹ AT&T stated that a single carrier’s consent to use of a broadband signal booster on its network cannot authorize the use of that device on another carrier’s network, even though that device is capable of amplifying signals on multiple carrier networks and routinely will do so in the field. FCC staff responded that “fleeting” use of a signal booster on a network for which the signal booster is not authorized should be permitted. The staff further indicated that any signal booster that causes actual harmful interference should be shut down.

Finally, AT&T expressed its view that any comprehensive plan for the authorization of third-party, consumer signal boosters should include a rigorous enforcement regime to address interference events. Under such a regime, if a specific signal booster model were responsible for multiple interference incidents, the Commission could revoke that model’s device certification.

This letter is being filed electronically pursuant to Section 1.1206 of the Commission’s rules. Should you have any questions, please contact the undersigned.

Sincerely,

/s/ Michael Goggin

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cc (via e-mail): John Leibovitz
Roger Noel
Joyce Jones
Becky Schwartz
Erin Griffith
Clay DeCell
Moslem Sawez
David Horowitz
Steven Spaeth

¹ AT&T uses the term “broadband signal booster” to refer to signal boosters that amplify signals on multiple frequencies rather than restricting amplification to the frequencies assigned to a single carrier.