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July 4, 2012

The Honorable Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room TW-A325  
Washington, DC 20554

*Re: Applications of Cellco Partnership, d/b/a Verizon Wireless, SpectrumCo, LLC, and Cox TMI Wireless, LLC, for Consent to Assign Wireless Licenses, WT Docket No. 12-4*

Dear Ms. Dortch,

Recently, claims have been made by the advocacy group, Public Knowledge, that the proposed agreements between Verizon Wireless and SpectrumCo, LLC and Verizon Wireless and Cox to assign a number of AWS-1 licenses to Verizon Wireless along with the cross sale of the parties services would somehow result in the formation of a cartel. The Federal Communications Commission should disregard such claims for the following reasons.

First, Public Knowledge has not demonstrated that the agreement contains the requisite behavior for a cartel. There is no explicit, formal agreement to fix prices and output shares in the wireless market. Has Public Knowledge shown that this arrangement is the result of SpectrumCo cutting back on the delivery of wireless services in order to raise prices with Verizon responding with a price cut to grab up market share? This is the type of threatened action and typical response that you would see before a cartel is formed, yet Public Knowledge has brought no evidence of even this type of behavior.

Second, given that SpectrumCo is sitting on fallow spectrum, can we even say that this entity is in the stream of commercial activity when it comes to wireless services? It has to be out there making a market for wireless services before we can even say that it is attempting to carve up the market in a conspiracy with Verizon.

Third, if the Commission is truly concerned about competition, you would give the license transfers their approval. Here in Atlanta there is robust competition between AT&T, Verizon, C-Beyond, Sprint, MetroPCS, and T-Mobile. Metropolitan Atlanta is growing, attracting a growing number of entrepreneurs who need access to wireless broadband services. The Commission is well aware of the

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spectrum cliff that consumers and wireless carriers are fast approaching. Demand for wireless services is outstripping the supply of spectrum needed to meet this demand.

To avoid the Thelma and Louise scenario, the Commission should hold hands with the wireless industry, but instead of dashing over the cliff, start backing away from it. If Atlanta is to keep attracting entrepreneurs, it cannot afford to have Cox sitting on spectrum when there is a willing buyer for it. If advocates like Public Knowledge were concerned about consumer welfare, they would acknowledge the need for spectrum to move into the hands of a carrier ready to put it to its best use.

I urge the Commission to expedite the transfers of these spectrum licenses to Verizon from SpectrumCo and Cox.

Sincerely,

/s/Alton Drew

Marlene Dortch