

The Washington Post is reporting that a consortium of cable companies Spectrum Co LLC (Comcast, Time Warner Cable, & Bright House Networks) plus Cox Communications cannot sell their AWS spectrum licenses to Verizon Wireless without DOJ approval. The DOJ is concerned about the associated cross licensing marketing agreements (agency, resale and JOE) threatening competition in wire-line and wireless.

The FCC supposedly gave its blessing to the spectrum sale after the involved parties agreed to sell off a swatch of air to T-Mobile, those familiar sources told the newspaper. That's the good news for Verizon and the cable companies. The bad news for the involved parties is that the FCC is actually working with Justice (a rare form of D.C. cooperation) and will back any decision that department makes. At least one person close to the agency's thinking said so, the newspaper reported. If this reporting is accurate that the FCC is unwilling to bless the transactions without DOJ approval (even if they are leaning favorably toward the license transfer) then that is great news for consumers and competition if the DOJ according to reports remains critical of the JOE.