



**advocate for rural wireless telecommunications providers
Washington, DC**

August 2, 2012

Via Electronic Delivery

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW, TW-A325
Washington, DC 20554

Re: Cellco Partnership d/b/a Verizon Wireless, SpectrumCo, LLC and Cox TMI Wireless, LLC Seek Consent to the Assignment of AWS-1 Licenses WT Docket No. 12-04

Cellco Partnership d/b/a Verizon Wireless and Leap Wireless International, Inc. Seek FCC Consent to the Exchange of Lower 700 MHz Band A Block, AWS-1, and Personal Communications Service Licenses ULS File Nos. 000492973, 0004942992, 0004952444, 0004949596 and 0004949598

Cellco Partnership d/b/a Verizon Wireless and T-Mobile License, LLC Seek FCC Consent to the Assignment of Advanced Wireless Service Licenses WT Docket No. 12-175

Dear Ms. Dortch:

The past few days have witnessed a flurry of activity in the secondary marketplace for commercial mobile radio service (“CMRS”) spectrum. What is most disturbing about this flurry of transactions is that the only purchaser of this spectrum has been AT&T, Inc. (“AT&T”). These transactions come at a time when Federal Communications Commission’s (“FCC” or “Commission”) is in the closing days of its informal 180-day “shot clock” for reviewing the large-scale transfer of Advanced Wireless Service (“AWS”) licenses from SpectrumCo, LLC and Cox TMI Wireless, LLC (together, the “Cable Companies”) to Cellco Partnership d/b/a Verizon Wireless (“Verizon”) – a deal that by itself would fundamentally shift the balance of power in the wireless and broadband sectors.¹ Now, AT&T has announced that it intends to purchase

¹ *In re Applications of SpectrumCo, LLC, and Cox TMI Wireless, LLC, Transferors, and Cellco Partnership d/b/a Verizon Wireless, Transferee, for Consent to the Assignment of AWS-1 Licenses*, Petition to Deny of the Rural Telecommunications Group, Inc., WT Docket No. 12-4. Additionally, Verizon is seeking permission to acquire additional AWS and Personal Communications Service licenses from Leap Wireless International, Inc. (“Leap”) and T-Mobile USA, Inc. (“T-Mobile”). See generally, *In re Applications of Cellco Partnership d/b/a Verizon Wireless and Leap Wireless International, Inc. Seek FCC Consent to the Exchange of Lower 700 MHz Band A Block, AWS-1, and Personal Communications Service Licenses*, ULS File Nos. 000492973, 0004942992, 0004952444, 0004949596 and 0004949598); and *In re the Applications of Cellco Partnership d/b/a Verizon Wireless and T-Mobile License, LLC Seek FCC Consent to the Assignment of Advanced Wireless Service Licenses*, WT Docket No. 12-175.



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AWS, Lower 700 MHz Band and Wireless Communications Service (“WCS”) licenses from no less than nine separate licensees. Specifically, AT&T has announced deals with Cavalier Wireless, LLC², Comcast Corporation³, Comsouth Tellular, Inc.⁴, Farmers Telephone Company, Inc.⁵, Horizon Wi-Com, LLC⁶, McBride Spectrum Partners, LLC⁷, David L. Miller⁸, NextWave Wireless, Inc.⁹, and Triad 700, LLC¹⁰. And, there is no indication that this buying spree by AT&T will subside.

The threat to competition posed by the entrenched duopoly of AT&T and Verizon is further manifesting itself by the now constant onslaught of spectrum aggregation in the traditional CMRS bands. Without access to new spectrum, competing carriers will be unable to offer new 4G/LTE services and effectively compete with the Twin Bells. Without viable alternatives, American consumers will see a winnowing of competitive service offerings and

² “AT&T Mobility Spectrum LLC and Cavalier Wireless, LLC Seek FCC Consent to the Assignment of Ten Lower 700 MHz Band B Block Licenses and 41 Advanced Wireless Services License,” Pleading Cycle Established, ULS File No. 0005295740, DA 12-1247 (released August 1, 2012).

³ ULS File No. 0005301644;
<http://wireless2.fcc.gov/ULSApp/ApplicationSearch/applAdmin.jsp?applID=6894438#attachments> (last viewed August 3, 2012)

⁴ “AT&T Mobility Spectrum LLC and Comsouth Tellular, Inc. Seek FCC Consent to the Assignment of Two Lower 700 MHz Band C Block Licenses,” Pleading Cycle Established, ULS File No. 0005304258, DA 12-1249 (released August 2, 2012).

⁵ “AT&T Mobility Spectrum LLC and Farmers Telephone Company, Inc. Seek FCC Consent to the Assignment of A Lower 700 MHz Band C Block License,” Pleading Cycle Established, ULS File No. 0005293645, DA 12-1250 (released August 2, 2012).

⁶ ULS File No. 0005305388;
<http://wireless2.fcc.gov/ULSApp/ApplicationSearch/applAdmin.jsp?applID=6935167#attachments> (last viewed August 3, 2012).

⁷ “AT&T Mobility Spectrum LLC and McBride Spectrum Partners, LLC Seek FCC Consent to the Assignment of A Lower 700 MHz Band B Block License,” Pleading Cycle Established, ULS File No. 00055323094, DA 12-1252 (released August 2, 2012).

⁸ “AT&T Mobility Spectrum LLC and David L. Miller Seek FCC Consent to the Assignment of 13 Lower 700 MHz Band B Block Licenses,” Pleading Cycle Established, ULS File No. 0005296026, DA 12-1248 (released August 2, 2012).

⁹ “AT&T Agrees to Acquire NextWave Wireless, Inc.,” Press Release (released August 2, 2012);
<http://www.att.com/gen/press-room?pid=23161&cdvn=news&newsarticleid=34976&mapcode=corporate|financial> (last viewed August 3, 2012).

¹⁰ “AT&T Mobility Spectrum LLC and Triad 700, LLC Seek FCC Consent to the Assignment of 27 Lower 700 MHz Band B Block Licenses,” Pleading Cycle Established, ULS File No. 0005286787, DA 12-1244 (released August 1, 2012).



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innovation which will in turn lead to higher prices and fewer technology advancements. For the sake of consumer choice, competition and innovation, these ongoing attempts at consolidation among the Twin Bells must be addressed contemporaneously.

RTG urges the Commission to immediately suspend the informal 180-day review shot clocks for WT Docket Nos. 12-4 and 12-175 and ULS File Nos. 0004942973, 0004942992, 0004952444, 0004949596 and 0004949598 until parties have the opportunity to weigh the numerous transactions contemplated by AT&T. Consolidation-by-piecemeal is still consolidation, no matter how small each proposed deal is in isolation. How these various proposed transactions involving AT&T impact the wireless sector, and in turn the public interest, can only be gauged by taking a “breather” and reviewing the AT&T deals in the appropriate context of the above-captioned Verizon transactions. The various existence of marketplace competition is in jeopardy. RTG and its rural carrier members implore the Commission to immediately suspend its review of the various Verizon transactions until a thorough review of the AT&T proposed deals can be examined. If AT&T and Verizon are allowed to proceed with their CMRS spectrum buying binge unchecked, it will spell doomsday for all the remaining wireless carriers trying to keep some semblance of pro-consumer competition for the general public.

Should you have any questions or require additional information, please do not hesitate to contact me.

Respectfully submitted,

Rural Telecommunications Group, Inc.

By: /s/ Caressa D. Bennet
Caressa D. Bennet
General Counsel

cc (via e-mail): Chairman Julius Genachowski
Commissioner Robert McDowell
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
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