

August 7, 2012

Ex Parte

VIA ELECTRONIC FILING

Marlene H. Dortch
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ***Consolidated Review of Verizon Wireless – SpectrumCo-Cox, Verizon Wireless – Leap Wireless, and T-Mobile – Verizon Wireless Transactions, WT Docket Nos. 12-4 and 12-175, ULS File Nos. 0004942973 et al.***

Dear Ms. Dortch:

The Commission should reject RTG's latest attempts to add unwarranted procedural delays at this late juncture¹ on transactions that have been pending for as long as nearly eight months. Last month, RTG sought to delay the pleading cycle on the Public Notice requesting comment on the impact of the license exchanges between T-Mobile and Verizon Wireless on the SpectrumCo and Cox transactions. In rejecting that request, the Bureau explained that "[t]he Commission has an obligation to review the transactions proposed in the Verizon Wireless/SpectrumCo/Cox Applications as expeditiously as possible, consistent with the public interest."² Undeterred, RTG has now filed not one but two separate additional delay requests. Both are meritless and should be denied.

First, RTG calls for suspending the informal 180-day review period because of a "flurry of transactions" involving a "purchaser" that is not a party to any of the transactions at issue here, AT&T.³ But RTG already has had ample opportunity to participate in the above-captioned proceedings, and to address any issues raised by these license assignment applications. And it will have the opportunity to comment on the AT&T transactions. Moreover, the Commission has consistently denied requests like RTG's to consolidate review of separate transactions

¹ Letter from Caressa D. Bennet, Rural Telecommunications Group, Inc., to Marlene H. Dortch, FCC, WT Docket Nos. 12-04 and 12-175, ULS File Nos. 0004942973, 0004942992, 0004952444, 0004949596 and 0004949598 (Aug. 2, 2012) ("RTG Aug. 2 Letter"); Letter from Caressa D. Bennet, Rural Telecommunications Group, Inc., to Marlene H. Dortch, FCC, WT Docket No. 12-04 (Aug. 3, 2012) ("RTG Aug. 3 Letter").

² *Application of Cellco Partnership d/b/a Verizon Wireless and SpectrumCo LLC for Consent to Assign Licenses*, Order, 27 FCC Rcd 7592, 7593 ¶ 5 (2012) (rejecting the Motion for Extension of Time filed by RTG and Public Knowledge).

³ See RTG Aug. 2 Letter at 1, 3.

involving different parties.⁴ Granting RTG's request would unjustifiably prolong this proceeding and only delay the benefits to consumers that will result from these transactions that move spectrum to providers that will use it to expand 4G LTE mobile broadband services.

Second, RTG requests that the Commission designate the Verizon Wireless/SpectrumCo/Cox license assignments for hearing.⁵ Applicants in WT Docket No. 12-4 note that the assertion that the evidentiary record is not complete is simply false. The Commission has an extensive record on which to find these transactions serve the public interest – a record that includes hundreds of substantive filings by a diverse group of commenters (including RTG, which has filed multiple times), detailed analyses submitted by Applicants' internal and external experts, thousands of pages of these Applicants' internal business documents submitted in response to the Bureau's Information and Discovery Requests, and much more. To support this extraordinary request, RTG only rehashes meritless arguments that have been repeatedly rebutted on the record, and asks yet again for conditions that, as Applicants in WT Docket No. 12-4 have demonstrated, are not transaction specific and are in any event unwarranted.⁶ There is nothing to be gained by further belaboring the same arguments.

The Commission should deny RTG's requests and conclude its review as expeditiously as possible.

⁴ See, e.g., *Applications Filed for the Acquisition of Certain Assets of CIMCO Communications, Inc. by Comcast Phone LLC, Comcast Phone of Michigan, LLC and Comcast Business Communications, LLC*, Memorandum Order and Opinion and Order on Reconsideration, 25 FCC Rcd 3401, 3405 ¶ 8 n. 16 (2010); *Applications of Nextel Communications, Inc. for Transfer of Control of OneComm Corporation, N.A. and C-Call Corp.*, Order, 10 FCC Rcd 3361, 3363-64 ¶¶ 16-20 (1995).

⁵ See RTG Aug. 3 Letter at 1.

⁶ See Letter from Michael H. Hammer, Counsel to SpectrumCo, et al., to Marlene H. Dortch, FCC, WT Docket No. 12-4 (Aug. 3, 2012) (refuting RTG's and other claims).

Ms. Marlene H. Dortch
August 7, 2012
Page 3

Sincerely,

/s/

John T. Scott, III
Michael P. Samsok
Katharine R. Saunders
VERIZON
1300 I Street, N.W.
Suite 400 West
Washington, D.C. 20005
(202) 515-2412

Michael E. Glover
Of Counsel

Attorneys for Verizon Wireless

Kathleen O'Brien Ham
Joshua Roland
T-MOBILE USA, INC.
601 Pennsylvania Ave., N.W.
North Building - Suite 800
Washington, D.C. 20004
(202) 654-5900

Attorneys for T-Mobile License LLC

Michael H. Hammer
WILLKIE FARR & GALLAGHER LLP
1875 K Street, N.W.
Washington, D.C. 20006
(202) 303-1000

Attorney for SpectrumCo

J.G. Harrington
DOW LOHNES PLLC
1200 New Hampshire Ave., N.W., Suite 800
Washington, D.C. 20036
(202) 776-2000

Attorney for Cox Wireless