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***Via Electronic Filing***

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room TW-A325  
Washington, DC 20554

**Re: *Ex Parte Presentation***

*Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands, WT Docket No. 12-70; Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, 2000-2020 MHz and 2180-2200 MHz, ET Docket No. 10-142; Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands, WT Docket No. 04-356.*

Dear Ms. Dortch,

On September 13, 2012, Larry Krevor, Vice President, Government Affairs; Richard Engelman, Director, Government Affairs; Trey Hanbury, Director, Government Affairs; and the undersigned, of Sprint Nextel Corporation ("Sprint"), met separately with Louis Peraertz, Legal Advisor for Commissioner Clyburn; David Goldman, Senior Legal Advisor for Commissioner Rosenworcel; and Courtney Reinhard, Legal Advisor for Commissioner Pai.

Sprint noted that, of the limited spectrum available for broadband use, only the PCS H Block at 1915-1920 MHz and 1995-2000 MHz is entirely cleared of incumbents, paired as expansion spectrum with the core PCS band, and available for immediate wireless broadband use. Sprint added that it values the H Block as LTE expansion spectrum and intends to bid for geographic area licenses once the Commission auctions the spectrum as directed by the Middle Class Tax Relief and Job Creation Act of 2012.

While Sprint continues to support awarding DISH Network ("DISH") the ability to deploy terrestrial broadband services in its Mobile Satellite Services (MSS) spectrum, realization of this goal must not come at the cost of idling the valuable H Block spectrum. Specifically, the Commission should not permit DISH Network to cast emissions from its MSS spectrum into the adjacent-channel H Block in a manner that impairs use of the H Block for mobile broadband. Impairing the H Block would frustrate the principal benefits potential H Block bidders hope to achieve in acquiring the spectrum, including enhanced LTE throughput, increased LTE peak speeds, and greater LTE capacity. Just as important, any impairment would also thwart the Spectrum Act's directive to use H Block auction revenue for the financial support of the FirstNet interoperable public safety network, the clearing of additional spectrum, and the achievement of other public goods. Sprint, therefore, reiterated its longstanding interest in seeing the Commission finalize its service rules for the H Block, auction the spectrum

through competitive bidding, and allow the license winners to quickly deploy the idle spectrum for mobile broadband use.

Sprint also addressed the proposal to shift the MSS S Band uplink spectrum band from 2000-2020 MHz to 2005-2025 MHz. Under this proposal, the MSS allocation would remain the same size, but span the 2005-2025 MHz band instead of its current frequency. This upshift would allow the Commission to auction the 1915-1920 MHz and 1995-2005 MHz blocks as a unit, which would provide more PCS spectrum for auction, increase the amount of highly-valued downlink spectrum available to bidders, and, as a consequence, produce more auction revenue for the United States than only auctioning current the H Block alone.

Regardless of whether the Commission shifts the MSS S Band up or not, it should establish adjacent channel emissions limits for the MSS S Band that assure maximum use and value of the adjacent H Block is not impaired. The Commission should avoid a potentially costly waste of valuable spectrum resources when additional filters, reduced power, and other interference-mitigation techniques can be implemented on S Band operations. Alternatively, if the Commission shifts the MSS S Band uplink to 2005-2025, it could auction the H block as currently configured and declare a “guard band” at 2000-2005 MHz to separate the H Block downlink from the MSS uplink.

Finally, Sprint noted that additional international standards-setting work must still occur in support of LTE Band 23 regardless of whether the five-megahertz upshift occurs. As a result, the principal factor delaying resolution of the 3<sup>rd</sup> Generation Partnership Project (“3GPP”) standards-setting process is the current *ambiguity* over the status of competing spectrum claims in the 2 GHz spectrum, *not* the possibility that standards would have to be revised to account for the five-megahertz upshift. Once the Commission renders a decision on whether and how the H and J Blocks will support mobile broadband operations, the 3GPP process should conclude quite rapidly.

Pursuant to Section 1.1206 of the Commission’s rules, this letter is being electronically filed with your office. Please let me know if you have any questions regarding this filing.

Respectfully submitted,

/s/ Rafi Martina  
Rafi Martina

cc: Louis Peraertz  
David Goldman  
Courtney Reinhard