

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Applications of Sprint Nextel Corporation, Transferor	)	
	)	
SoftBank Corp., and Starburst II, Inc., Transferees	)	IB Docket No. 12-343
	)	
Joint Applications for Consent to Transfer of Control of Licenses, Leases, and Authorizations; and Petition for Declaratory Ruling under Section 310(b)(4) of the Communications Act of 1934, as amended	)	

**REPLY OF CTN AND NEBSA**

The Catholic Television Network (“CTN”) and the National EBS Association (“NEBSA”) hereby reply to the “Comments of EBS Licensees Supporting Verizon Request” (“Comments”) filed February 12, 2013, by the Consortium for Public Education and The Roman Catholic Diocese of Erie, Pennsylvania and its affiliates (“Petitioners”).

Petitioners support comments filed by Verizon Wireless, which urges the Commission to address issues in this proceeding relating to the inclusion of Educational Broadband Spectrum (“EBS”) spectrum in the Commission’s spectrum screen.<sup>1</sup> Petitioners also reiterate various other matters previously raised in their Petition to Deny,<sup>2</sup> including a call for the Commission to force Clearwire to “divest” its leases of EBS spectrum. CTN and NEBSA have already opposed the

---

<sup>1</sup> See Comments of Verizon Wireless in WT [sic] Docket No. 12-343, filed January 28, 2013.

<sup>2</sup> See Petition to Deny of the Consortium for Public Education and The Roman Catholic Diocese of Erie, Pennsylvania in IB Docket No. 12-343, filed January 28, 2013.

Petition to Deny filed by Petitioners.<sup>3</sup> However, CTN and NEBSA provide this further response on two issues.

First, this proceeding is the wrong place to consider the complexities of the spectrum screen. The spectrum screen is under consideration in pending WT Docket No. 12-269 addressing the Commission's policies regarding mobile spectrum holdings, which is the appropriate forum for resolution. Multiple parties have filed comments and replies in the spectrum screen proceeding and could not fairly be expected to participate in the SoftBank/Sprint Nextel transaction docket with respect to the spectrum screen issue.

Second, with respect to divestiture, CTN and NEBSA oppose any condition on the approval of the proposed transaction that would require Clearwire to divest or terminate EBS leases. Although Petitioners allege that divestiture would be in the interest of the EBS community, many EBS licensees have filed comments in this proceeding explaining why such divestiture would not further their interests.<sup>4</sup>

---

<sup>3</sup> Opposition to Petition to Deny by the Catholic Television Network and the National EBS Association in IB Docket No. 12-343, filed February 11, 2013.

<sup>4</sup> See Comments of EBS Licensee Hispanic Information and Telecommunications Network, Inc. in IB Docket No. 12-343, filed February 12, 2013; Opposition of (32) EBS Parties to Petition to Deny in IB Docket No. 12-343, filed February 12, 2013.

Respectfully submitted,

THE CATHOLIC TELEVISION NETWORK

NATIONAL EBS ASSOCIATION

By: /s/ Edwin N. Lavergne

By: /s/ Todd D. Gray

Edwin N. Lavergne  
Donna A. Balaguer  
Fish & Richardson P.C.  
1425 K Street, N.W., Suite 1100  
Washington, D.C. 20005  
202-783-5070

Todd D. Gray  
Dow Lohnes PLLC  
1200 New Hampshire Ave., N.W.  
Suite 800  
Washington, DC 20036  
(202) 776-2571

Its Attorneys

Its Attorney

February 25, 2013

## CERTIFICATE OF SERVICE

I, Todd D. Gray, hereby certify that on this 25<sup>th</sup> day of February 2013, I caused true and correct copies of the foregoing Opposition to Petition to Deny to be served by e-mail to the following:

Best Copy and Printing, Inc.  
FCC@BCPIWEB.com

Kathleen Collins  
International Bureau  
Federal Communications Commission  
Kathleen.Collins@fcc.gov

Rudolph J. Geist\*  
RJG Law LLC  
7910 Woodmont Avenue  
Suite 405  
Bethesda, MD 20814  
rgeist@rjglawllc.com

Paul Murray  
Wireless Telecommunications Bureau  
Federal Communications Commission  
Paul.Murray@fcc.gov

David Krech  
International Bureau  
Federal Communications Commission  
David.Krech@fcc.gov

Christopher Sova  
Wireline Competition Bureau  
Federal Communications Commission  
Christopher.Sova@fcc.gov

Aaron Goldschmidt  
Wireless Telecommunications Bureau  
Federal Communications Commission  
Aaron.Goldschmidt@fcc.gov

Neil Dellar  
Office of General Counsel  
Federal Communications Commission  
TransactionTeam@fcc.gov

Wayne McKee  
Media Bureau  
Federal Communications Commission  
Wayne.McKee@fcc.gov

\*By E-Mail and U.S. Postal Service

By: /s/ Todd D. Gray  
Todd D. Gray