

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
FCC Seeks Comment on Recommendations)	
Approved by the Advisory Committee)	IB Docket No. 04-286
for the 2015 World Radiocommunication)	
Conference)	

COMMENTS OF T-MOBILE USA, INC.

T-Mobile USA, Inc. (“T-Mobile”), pursuant to the invitation extended by the Commission in the above-referenced Public Notice,^{1/} hereby submits its comments in response to the recommendations of the Advisory Committee for the 2015 World Radiocommunication Conference (“WRC-15 Advisory Committee” or “WAC”) regarding issues that will be considered by the 2015 World Radiocommunication Conference (“WRC-15”). T-Mobile agrees with the WAC’s recommendation that the United States support the development of technical requirements that will ultimately lead to a primary mobile allocation in the 1695-1710 MHz band and identification of the band for broadband wireless services, including International Mobile Telecommunications (“IMT”). The 1695-1710 MHz band is ideally situated to provide wireless broadband services and Congress, the National Telecommunications and Information Administration (“NTIA”) and the Commission have all already taken steps to facilitate its future use for that purpose.

I. INTRODUCTION AND BACKGROUND

T-Mobile, the U.S. wireless operation of Deutsche Telekom AG, is headquartered in Bellevue, Washington, and offers nationwide wireless voice and data services to individual,

^{1/} *FCC Seeks Comment on Recommendations Approved by the Advisory Committee for the 2015 World Radiocommunication Conference*, Public Notice, IB Docket No. 04-286, DA 13-330 (rel. March 8, 2013) (“*Public Notice*”).

business and government customers. It is the fourth largest wireless carrier in the United States and serves approximately 33 million subscribers. T-Mobile has continuously implemented new and more efficient technologies to maximize the capacity of its spectrum as well as invested significant funds to expand its spectrum portfolio and rationalize its existing spectrum holdings,^{2/} making substantial progress in a modernization and 4G evolution effort that will enable Long-Term Evolution (“LTE”) coverage for 100 million U.S. customers by July 2013 and 200 million wireless customers by the end of the year.^{3/} Although T-Mobile is using its spectrum efficiently,^{4/} it, like other carriers, will require additional capacity to meet rapidly accelerating consumer demand.^{5/}

The 1695-1710 MHz band can help meet these growing requirements. Among other benefits, it is immediately adjacent to the existing AWS-1 band at 1710-1755 MHz. However,

^{2/} See, e.g., *Applications of T-Mobile License LLC and Cellco Partnership d/b/a Verizon Wireless for Consent to Assign Licenses*, Memorandum Opinion and Order and Declaratory Ruling, 27 FCC Rcd 10698 (2012); *Deutsche Telekom AG, T-Mobile USA, Inc. and MetroPCS Communications, Inc. Seek FCC Consent to the Transfer of Control of PCS Licenses and AWS-1 Licenses and Leases, One 700 MHz License, and International 214 Authorizations Held by MetroPCS Communications, Inc. and by T-Mobile USA, Inc. to Deutsche Telekom AG*, Public Notice, 27 FCC Rcd 13407 (2012).

^{3/} See Al Sacco, *T-Mobile Exec on Why Its 4G LTE-Launch Timing is “Perfect”*, CIO (Feb. 13, 2013), available at http://www.cio.com/article/728787/T_Mobile_Exec_on_Why_Its_4G_LTE_Launch_Timing_is_Perfect ; see also T-Mobile Release, *T-Mobile USA Announces Reinvigorated Challenger Strategy* (Feb. 23, 2012), available at <http://newsroom.t-mobile.com/articles/ReinvigoratedChallengerStrategy>.

^{4/} See Declaration of Dennis Roberson, WT Docket No. 12-4, ¶ 13 and Table 2 (March 26, 2012) (showing that T-Mobile’s spectral efficiency exceeds that of Verizon Wireless by more than 50 percent), attached as Exhibit A to Reply of T-Mobile USA, Inc. to Opposition to Petition to Deny, WT Docket No. 12-4 (filed March 26, 2012).

^{5/} See, e.g., Ruth Milkman, Chief, Wireless Telecommunications Bureau, FCC, *The FCC’s Mobile Broadband Agenda*, Remarks at the Broadband Breakfast Club (Feb. 19, 2013), available at <http://www.fcc.gov/blog/broadband-breakfast-club> (noting recent findings that U.S. mobile data traffic will increase nine-fold within the next four years and that there are currently “more mobile wireless connections – over 315 million – than people living in the United States”); *Amendment of the Commission’s Rules With Regard to Commercial Operations in the 3550-3650 MHz Band*, Notice of Proposed Rulemaking and Order, 27 FCC Rcd 15594 (2012) (“Demand for wireless broadband capacity is growing much faster than the availability of new spectrum . . . experts forecast a need for a thousand-fold increase in wireless capacity by 2020.”)

there is currently no primary mobile allocation for the 1695-1700 MHz segment of the band in Regions 2 and 3, and such allocation is limited in Region 1,^{6/} and the 1695-1710 MHz band is now used for meteorological satellite (space-to-earth) operations. Accordingly, in order to make the 1695-1710 MHz band available for mobile broadband and to develop standards for protecting incumbent operations in the band, T-Mobile strongly supports the WAC's recommendations for the U.S. position for this band.^{7/}

II. COMMENTS

As the *Draft Preliminary Views* recognize, “[i]t is important for administrations to identify spectrum that could be made available for terrestrial mobile broadband as administrations plan their spectrum use and as industry plans to meet the marketplace requirements of the future.”^{8/} Consideration of the future use of the 1695-1710 MHz band at WRC-15 is a critical part of that process. NTIA has recommended that the Commission reallocate the 1695-1710 MHz band from Federal to commercial use,^{9/} and the Commission has announced that it plans to commence the auction of licenses in this band as early as September 2014.^{10/} However, in order to fully effectuate NTIA's recommendations and the Commission's

^{6/} 47 C.F.R. § 2.106 (footnote 5.382).

^{7/} *Attachment 1: Recommendations Presented at 7 March 2013 Meeting of the Advisory Committee for the 2015 World Radiocommunication Conference* at 10-11, attached to Public Notice (“FCC Draft Preliminary Views”); *Attachment 2: Draft Proposals Formulated and Approved within the National Telecommunications and Information Administration*, at 4-6, attached to Public Notice (“NTIA Draft Preliminary Views,” together with the *FCC Draft Preliminary Views*, the “Draft Preliminary Views”).

^{8/} *FCC Draft Preliminary Views* at 10; *NTIA Draft Preliminary Views* at 5.

^{9/} U.S. Dep't of Commerce, *Identification of 15 Megahertz of Spectrum Between 1675 and 1710 MHz for Reallocation from Federal Use to Non-Federal Use Pursuant to Section 6401(a) of the Middle Class Tax Relief and Job Creation Act of 2012*, Report to the President (Feb. 2013) (“*NTIA Report to the President*”).

^{10/} Letter from Julius Genachowski, Chairman, FCC, to Lawrence E. Strickling, Assistant Secretary for Communications and Information, U.S. Dep't of Commerce, at 1 (March 20, 2013), available at <http://go.usa.gov/2VR5> (“*FCC Letter*”); see also Press Release, *Statement of Commissioner Ajit Pai on Commencement of Process to Auction 1755-1780 MHz Band* (rel. March 21, 2013).

plans, it is beneficial for the International Telecommunication Union (“ITU”) to allocate the 1695-1700 MHz band for mobile operations on a co-primary basis globally. In addition, the benefits of globally harmonized spectrum for broadband services has been clearly recognized in numerous proceedings; identifying 1695-1710 MHz internationally for broadband wireless services including IMT will facilitate global deployment and the resulting economies of scale. The *Draft Preliminary Views* are consistent with these goals.

In addition to being consistent with NTIA’s recommendations and the FCC’s recently announced plans, adoption of the *Draft Preliminary Views* with respect to the 1695-1710 MHz band would reflect work stemming from the many years that the band has been under consideration for wireless broadband in the United States. In an effort to implement the National Broadband Plan’s recommendation to make 500 megahertz of spectrum available for broadband use, and in cooperation with NTIA, in June 2010, the Commission sought comment on the potential use of the 1675-1710 MHz band in general.^{11/} Shortly after the FCC’s request for comment, President Obama issued a Memorandum, echoing the National Broadband Plan and calling for NTIA, in cooperation with the Commission, to make 500 megahertz of spectrum available for fixed and mobile wireless services.^{12/} In response, NTIA issued a report in October 2010 which noted that, among others, the 1675-1710 MHz band should be evaluated for non-Federal use.^{13/} Also in the fall of 2010, NTIA released its “fast track” evaluation (“Fast Track Evaluation”), discussing in greater detail several of the frequency bands identified in the *NTIA*

^{11/} See *Connecting America: The National Broadband Plan*, at xii, 10, 75 (March 2010); *Office of Engineering and Technology Requests Information on Use of 1675-1710 MHz Band*, Public Notice, 25 FCC Rcd 7285 (2010) (“2010 Public Notice”).

^{12/} Press Release, The White House, Office of the Press Secretary, *Presidential Memorandum: Unleashing the Broadband Revolution* (June 28, 2010), available at <http://www.whitehouse.gov/the-press-office/presidential-memorandum-unleashing-wireless-broadband-revolution>.

^{13/} See NTIA, *Plan and Timetable to Make Available 500 Megahertz of Spectrum for Wireless Broadband* (October 2010) (“*NTIA Ten-Year Plan*”).

Ten-Year Plan that were likely candidates for reallocation to non-Federal use.^{14/} NTIA's Fast Track Evaluation specifically identified the 1695-1710 MHz band as one of two spectrum bands for potential reallocation to non-Federal wireless broadband operations.^{15/} Then, on January 19, 2011, NTIA submitted a letter to the FCC concluding that the FCC should repurpose this band for wireless broadband use on a shared basis.^{16/} In response, the Commission sought comment on the potential reallocation of the 1695-1710 MHz band.^{17/}

In February 2012, Congress recognized the potential use of the 1675-1710 MHz band in the Spectrum Act. There, it directed the Secretary of Commerce to identify, by February 22, 2013, 15 megahertz of spectrum from the 1675-1710 MHz band that may be reallocated for commercial use.^{18/} The Spectrum Act requires that the 15 megahertz identified by the Secretary

^{14/} See NTIA, *An Assessment of the Near-Term Viability of Accommodating Wireless Broadband Systems in the 1675-1710 MHz, 1755-1780 MHz, 3500-3650 MHz, and 4200-4220 MHz, 4380-4400 MHz Bands*, at 2-1, 2-2, 2-3 (2010).

^{15/} *Id.*

^{16/} NTIA recommended "that the FCC take the necessary regulatory actions to make available for wireless broadband 15 megahertz at 1695-1710 MHz . . . to be shared with currently allocated services." See Letter from Karl Nebbia, Associate Administrator, NTIA, to Julius Knapp, Chief, Office of Engineering and Technology, FCC (Jan. 19, 2011), *available at* http://www.ntia.doc.gov/files/ntia/publications/ntia_fcc_letter_115_mhz_01192011.pdf.

^{17/} See *Spectrum Task Force Requests Information on Frequency Bands Identified by NTIA as Potential Broadband Spectrum*, Public Notice, 26 FCC Rcd 3486 (2011) ("2011 Public Notice"). T-Mobile has been active in the Commission's proceedings, submitting comments in response to both the *2010 Public Notice* and the *2011 Public Notice*, in both cases endorsing the potential reallocation and noting the benefits of the 1675-1710 MHz band – and in particular the 1695-1710 MHz segment – for commercial mobile broadband use. See Comments of T-Mobile USA, Inc., ET Docket No. 10-123 (filed June 28, 2010); Comments of T-Mobile USA, Inc., ET Docket No. 10-123, at 3, 7 (filed Apr. 22, 2012) (noting the 1695-1710 MHz segment is one of the most promising options for mobile broadband services as it is below 3 GHz and has propagation characteristics that are ideal for mobile broadband technologies).

^{18/} See Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, § 1451(a)-(b) (2012) ("Spectrum Act").

of Commerce be licensed by the Commission by February 22, 2015, and the recent *NTIA Report to the President* and *FCC Letter* are consistent with that Congressional directive.^{19/}

The *FCC Draft Preliminary Views* propose changes from the version that NTIA recommended. Those changes principally refer to the recent studies in which, among others, T-Mobile has been engaged, to determine how incumbent operations in the band 1695-1710 MHz can be protected from future wireless broadband systems. In particular, and as the *NTIA Report to the President* notes, NTIA's Commerce Spectrum Management Advisory Committee ("CSMAC") working group ("CSMAC Working Group") "has been developing ways to facilitate the introduction of commercial wireless broadband" in the 1695-1710 MHz band while ensuring protection of incumbent Federal operations.^{20/} T-Mobile is a co-chair of the CSMAC Working Group and has been active in this work. As NTIA reports, CSMAC "has made significant progress toward an effective and efficient spectrum sharing framework."^{21/}

In particular, at its February 21, 2013 meeting, the CSMAC adopted the Working Group's report, which specifies a plan for maximizing use of the 1695-1710 MHz band for commercial services while protecting incumbent Federal operations in that band and the adjacent 1675-1695 MHz band.^{22/} The CSMAC Working Group recommended a structure for Federal and commercial sharing in the band and recommended that the FCC and NTIA work together to begin developing the coordination, testing, monitoring, and compliance processes, roles, and

^{19/} See *NTIA Report to the President* at 1; *FCC Letter* at 1.

^{20/} *NTIA Report to the President* at 1-2.

^{21/} *Id.* at 2.

^{22/} See CSMAC, Meeting Minutes (Feb. 21, 2013), available at <http://www.ntia.doc.gov/other-publication/2013/02212013-csmac-meeting-minutes>; *Commerce Spectrum Management Advisory Committee Final Report, Working Group 1 – 1675-1710 MHz Meteorological-Satellite* (Jan. 22, 2013), available at <http://www.ntia.doc.gov/other-publication/2013/csmac-wg-1-final-report-v2> ("CSMAC Working Group Report").

responsibilities necessary for successful implementation of shared use of the band.^{23/}

Accordingly, the *Draft Preliminary Views* should take into account these subsequent activities of the CSMAC Working Group and the U.S. position should incorporate the changes proposed in the WAC's version of Agenda Item 1.1.

^{23/} CSMAC Working Group Report at 6.

III. CONCLUSION

T-Mobile strongly endorses the WAC's recommendation that the United States support the development of technical requirements that will ultimately lead to a primary mobile allocation in the 1695-1710 MHz band as well as an identification of the band for broadband wireless systems including IMT.

Respectfully submitted,

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March 22, 2013