

February 4, 2014
WT Docket No. 13-193

To:
Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Greetings Ms Dortch,

As a consumer and a user of Cricket wireless service, I am voicing opposition to this acquisition. I believe that by removing a smaller, more agile competitor from the marketplace both innovation and competition, and with it the consumers interests are not being served.

Leap has survived one bankruptcy, and I believe it can survive another if it comes to that and emerge stronger, lighter, more agile and more consumer oriented as they have done in the past.

In the event they do not survive then I believe it is in the best interest that Crickets licenses be returned to the FCC for auction with rules in place to promote competition, and proceeds paying off creditors.

In the event the Leap acquisition does go through I believe that the following protections should be considered as a condition of the acquisition:

1. No loss of service capacity for voice or data for Cricket CDMA only devices, and an equal or better level of service when transitioned to AT&T's network.
 - a. Prevent re-farming of CDMA based spectrum in Leap spectrum to AT&T GSM based technology as long as there is a CDMA customer base, if the result of which would be to reduce customers EVDO and voice coverage footprint and throughput capacity and quality of service.
 - b. Perform maintenance and optimization on the existing CDMA/EVDO network to maintain current service levels.

2. No increase in plan pricing or loss of special pricing plans and discounts.
 - a. All Cricket plan prices and discounts should be guaranteed not to increase, or data limits, voice minutes and other features decreased.
3. 100% device replacement policy for equal or better devices regardless of device being active in any particular timeframe.
 - a. In addition to active devices, which should be replaced with 100% feature equivalent or better devices once AT&T degrades or eliminates Crickets CDMA network, many people have non-active devices they can activate occasionally as needed, as guest phones and travel data devices. These devices have value because of their ability to be activated when and as needed, and consumers would incur a cost to replace them if Crickets CDMA network was transitioned to GSM. Therefore I request that AT&T be required to perform an equal or better device replacement any working Cricket device brought in for short term non contract activation whenever and wherever the Cricket CDMA network has been degraded or CDMA channels taken out of service. There should be no time limit placed on this requirement beyond the working status of the hardware device itself, and no increase of activation fees above what Cricket historically charges. Also replacement devices should be unlocked if existing Cricket device is absent of Sim lock.
4. Use of Leaps 700 license in conjunction with Chicago's channel 51 (passive partner), Dish Networks channel 56 and AT&T 700 for interoperability testing in the real world. It seems a golden opportunity to bring together the industry for a real world study on 700 interoperability and to quantify the issues and test full interoperability A to C band.

I believe if the above requirements are implemented the acquisition will be a lot more palatable and fair to the current Cricket customer and will protect the public trust in the FCC.

Respectfully,

Jim Jones