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Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Re: ***Notice of Ex Parte Presentation: Policies Regarding Mobile Spectrum Holdings,***
WT Docket No. 12-269

Dear Ms. Dortch:

From the inception of the Commission's mobile spectrum holdings proceeding, Sprint and a wide array of parties have emphasized that critical differences among spectrum bands – most notably associated with propagation – have enormous consequences on deployment and downstream competition, and as a consequence must be reflected in the Commission's spectrum screen. Recent remarks by the CEO of American Tower, one of the nation's largest infrastructure providers, credibly bolster this point (already supported by the overwhelmingly weight of the record). Specifically, in a May 4, 2014 article summarizing a May 1 conference call American Tower CEO Jim Taiclet held with investment analysts to discuss American Tower's first-quarter 2014 results, Mr. Taiclet remarked upon the substantial differences in the number of towers that would need to be deployed for Sprint to build out its 2.5 GHz footprint in a manner that would be equivalent to its 1.9 GHz deployment.¹ Notably, Mr. Taiclet estimated "that in addition to 38,000 Network Vision sites that are kind of on the docket with Sprint, they probably need another 30,000 or 40,000 transmission locations ultimately to have 2.5 coverage match the 1.9 network at the end of the day."

While Sprint does not endorse these specific figures, this timely, real world recognition of the varying utility of mid- and high-band spectrum is *precisely* what the current Commission's staff spectrum screen proposal fails to acknowledge. The significant variations among low-, mid-, and high-band spectrum bands – which are clearly evident, *inter alia*, in disparities in infrastructure costs related to different bands – directly affect the time and cost associated with

¹ See Tammy Parker, *Sprint may need up to 40,000 new cell sites for 2.5 GHz, tower exec says*, FierceWireless (May 4, 2014), available at <http://www.fiercewireless.com/tech/story/sprint-may-need-40000-new-cell-sites-25-ghz-tower-exec-says/2014-05-04>.

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mobile broadband deployment, with substantial impact on a carrier's competitiveness. As Sprint has advocated throughout this proceeding, the spectrum screen must be refined to reflect this varying competitive utility of spectrum if it is to accurately determine whether a particular transaction would result in anti-competitive behavior by a carrier with market power.

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/ Gardner H. Foster

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