



**Minority Media &  
Telecom Council**

3636 16<sup>th</sup> Street N.W. Suite B-366  
Washington, D.C. 20010  
Phone: 202-332-0500 Fax: 202-332-7511  
<http://www.mmtconline.org>

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May 9, 2014

Marlene Dortch, Esq., Secretary  
Federal Communications Commission  
445 12th Street S.W.  
Washington, D.C. 20554

RE: Notice of *Ex Parte* Communication, WT Docket No. 05-211 (Modernization of Competitive Bidding Rules); WT Docket No. 13-135 (Wireless Competition); GN Docket No. 13-185 (Amending Commercial Operation Rules in 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz Bands); GN Docket No. 12-268 (Incentive Auction); GN Docket No. 09-51 (National Broadband Plan); GN Docket No. 09-191 (Preserving the Open Internet); WC Docket No. 07-52 (Broadband Industry Practices)

Dear Ms. Dortch:

This letter reports on a meeting held May 8, 2014 with Brendan Carr, Legal Advisor for Commissioner Pai. S. Jenell Trigg, MMTC Advisory Board Member and Member of Lerman Senter, PLLC and Dr. Nicol Turner-Lee, Vice President and Chief Research & Policy Officer, MMTC, and Jacqueline Clary, Senior Counsel and John W. Jones Fellow represented MMTC.

During this meeting we stressed the importance of meaningful Designated Entity (DE) participation in the upcoming spectrum auctions and urged the Commission to implement the recommendations set forth in MMTC's recent White Paper.<sup>1</sup>

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<sup>1</sup> See S. Jenell Trigg and Jeneba Jalloh Ghatt, *Digital Déjà Vu: A Road Map for Promoting Minority Ownership in the Wireless Industry* (Feb. 25, 2014); MMTC Ex Parte Letter re WT Docket No. 05-211 et al. (March 14, 2014); MMTC Ex Parte Letter re WT Docket No. 05-211 et al. (March 17, 2014); MMTC Ex Parte Letter re WT Docket No. 05-211 et al. (April 3, 2014); MMTC Ex Parte Letter re WT Docket No. 05-211 et al. (April 25, 2014). See also Comments of the Minority Media and Telecommunications Council, WT Docket No. 05-211 et al. (April 25, 2014).

Our top recommendations were to eliminate the attributable material relationship rule, increase DE bidding credits, and prioritize diversity and inclusion of DEs in the secondary markets.<sup>2</sup> These recommendations have garnered much support.<sup>3</sup>

We noted that increasing DE bidding credits is critical to DE participation and has garnered no opposition. We reminded the Commission that bidding credits are the only remaining incentive for new entrant DEs who will compete against incumbents, large, medium and small. Finally, we expressed our hope that DE-specific provisions for the spectrum incentive auction will be adopted with sufficient time for DEs to develop viable business plans, assess market conditions and raise capital at the same time as other potential bidders.<sup>4</sup>

As MMTC has explained in its ex parte meetings and letters, we believe that the Commission has the authority as well as substantial support on the record for the Commission to adopt these proposals.

Respectfully submitted,

*Jacqueline Clary*

Jacqueline Clary  
Senior Counsel and John W. Jones Fellow

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<sup>2</sup> *See id.* *See also* Letter from David Honig, President, MMTC to Tom Wheeler, Chairman, FCC, WT Docket No. 05-211 (May 8, 2014) (requesting that the Commission avoid imposing unreasonable restrictions on DEs post-auction).

<sup>3</sup> *See* Letter from MMTC et al. to Tom Wheeler, Chairman, FCC, WT Docket No. 05-211 et al. (March 7, 2014) (Letter of support for MMTC's White Paper from twenty organizations).

<sup>4</sup> *See* 47 U.S.C. §309(j)(3)(E)(i).