

May 13, 2014

**Via ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**RE: EX PARTE NOTICE**

**GN Docket No. 12-268:** *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*

**WT Docket No. 12-269:** *Policies Regarding Mobile Spectrum Holdings*

Dear Ms. Dortch:

In accordance with sections 1.1203(a)(1), 1.1204(a)(10), and 1.1206 of the Commission's rules, I write to inform you of oral ex parte presentations regarding the above-captioned proceedings. On May 13, 2014, I spoke by phone with Louis Peraertz, Legal Advisor to Commissioner Clyburn and, separately, with Roger Sherman, Chief of the Wireless Telecommunications Bureau. We discussed potential interoperability requirements related to the incentive auction.

Interoperability is irrelevant without the adoption of a meaningful reserve block to prevent the two dominant carriers from foreclosing competition. Without a meaningful reserve, competition, consumers and auction revenues will suffer. The reserve should be large and not less than thirty megahertz where competition among reserve-eligible bidders exists.

With an auction that promotes competition, an interoperability requirement will help ensure that competitors are not foreclosed from access to devices that consumers desire. T-Mobile supports robust interoperability rules for the 600 MHz band similar to those adopted for AWS-3.<sup>1</sup> The interoperability rule should apply to all paired channels of the 600 MHz band, regardless of

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<sup>1</sup> See *Amendment of the Commission's Rules with Regard to Commercial Operations in the 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz Bands*, Report and Order, GN Docket No. 13-185, ¶ 225 (rel. Mar. 31, 2014).

factors such as the existence of more than one duplexer, varying channel sizes, or other considerations.

T-Mobile has also proposed that the Commission create durable incentives for interoperability by employing quasi-random assignments of licenses to the winners in each area.<sup>2</sup> Quasi-random assignment of licenses would ensure that no one carrier wins a nationwide allocation on a single frequency and will reduce the incentive to create a band class unique to a particular carrier.

If the Commission adopts an assignment-round mechanism for licenses in the 600 MHz band in lieu of quasi-random assignment, the Commission should ensure that no one carrier can win a single set of frequencies nationwide. In the 700 MHz band, single-frequency licensing to a dominant carrier led to costly interoperability challenges that delayed wireless broadband deployment for years.<sup>3</sup> Promoting diverse frequency holdings and adopting a robust interoperability requirement will help ensure the 600 MHz band licensees do not experience the same types of interoperability challenges that 700 MHz licensees faced.

Respectfully submitted,

*/s/ Trey Hanbury*

Trey Hanbury  
Counsel to T-Mobile USA, Inc.

cc: Louis Peraertz  
Roger Sherman

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<sup>2</sup> See, e.g., Ex Parte Notice of T-Mobile USA, Inc., GN Docket No. 12-268, Attachment at 10 (Jan. 15, 2014); Ex Parte Notice of T-Mobile USA, Inc., GN Docket No. 12-268, at 2 (Apr. 23, 2013); Reply Comments of T-Mobile USA, Inc., WT Docket No. 12-268, at 50 (Mar. 12, 2013); Comments of T-Mobile USA, Inc., WT Docket No. 12-268, at 21-23 (Jan. 25, 2013).

<sup>3</sup> See *Promoting Interoperability in the 700 MHz Commercial Spectrum*, Report and Order and Order of Proposed Modification, WT Docket Nos. 12-69 & 12-332, ¶ 51 (rel. Oct. 29, 2013).