



Richard B. Engelman
Director, Spectrum Resources
703 433 8124
richard.engelman@sprint.com

Sprint Corporation – Government Affairs
900 7th Street, NW
Suite 700
Washington, DC 20001

July 31, 2014

Via Electronic Filing

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

Re: ***Notice of Ex Parte Presentation: Amendment of the Commission's Rules with Regard to Commercial Operations in the 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz Bands, GN Docket No. 13-185; Auction of Advanced Wireless Services Licenses, Comment Sought on Competitive Bidding Procedures for Auction 97, AU Docket No. 14-78; Petition of DIRECTV Group, Inc., and EchoStar LLC for Expedited Rule Making to Amend Sections 1.2105(a)(2)(xi) and 1.2106(a) of the Commission's Rules and/or for Interim Conditional Waiver, RM-11395***

Dear Ms. Dortch:

On July 29, 2014, I spoke by telephone with Gary Michaels, Deputy Chief of the Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, regarding the various requests filed in these proceedings calling for relief from the “former defaulter” requirements contained in Section 1.2106(a) of the Commission’s Rules.¹

Section 1.2106(a) currently requires “Any auction applicant that has previously been in default on any Commission license or has previously been delinquent on any non-tax debt owed to any Federal agency must submit an upfront payment equal to 50 percent more than that set for each particular license.” Several parties have filed requesting relief from this requirement under certain limited and justifiable situations, particularly when a default was very small in amount or when a default had occurred and been resolved many years prior to the auction.²

¹ 47 C.F.R. § 1.2106(a).

² See, e.g., *Petition of DIRECTV Group, Inc., and EchoStar LLC for Expedited Rule Making to Amend Sections 1.2105(a)(2)(xi) and 1.2106(a) of the Commission's Rules and/or for interim Conditional Waiver, RM-11395* (filed June 8, 2007); Letter from Rebecca Murphy Thompson, Competitive Carriers Association, Julie Kearney, Consumer Electronics Association, Scott K. Bergmann, CTIA – The Wireless Association, and Jill Canfield, NTCA – The Rural Broadband Association to Marlene H. Dortch, Secretary, Federal Communications

July 31, 2014

Page 2

I indicated that Sprint supports the general proposals contained in the *CCA/CEA/CTIA/NTCA Letter*, which encourage the Commission to waive the former defaulter rule if the amount of the default was small or if the default had occurred and been resolved several years prior to the auction. I also discussed a filing from AT&T that proposes to “further expand the criteria for determining the creditworthiness of auction participants.”³ Regarding the *AT&T Letter*, I suggested that the Commission indeed should treat AT&T’s two proposed new criteria (to consider an applicant’s “investment grade” rating or letter of credit) as expansions of the criteria rather than as replacements for the other two criteria proposed by *CCA/CEA/CTIA/NTCA*. The *CCA/CEA/CTIA/NTCA* proposed criteria would be far more relevant and appropriate for many potential auction bidders and in relation to the Commission’s underlying policy.

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,



Richard B. Engelman
Director, Spectrum Resources
Government Affairs

Office: +1 703 433 8124
richard.engelman@sprint.com

cc: Gary Michaels (via email)

Commission, RM-11395, GN Docket No. 13-185, AU Docket No. 14-78, and GN Docket No. 12-268 (filed May 30, 2014) (“*CCA/CEA/CTIA/NTCA Letter*”).

³ See Letter from Joan Marsh, AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket No. 13-185 (filed July 24, 2014) (“*AT&T Letter*”).