



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

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## **WIRELESS TELECOMMUNICATIONS BUREAU SEEKS UPDATED, YEAR-END 2011 DATA FOR ITS SIXTEENTH REPORT ON MOBILE WIRELESS COMPETITION**

**WT Docket No. 11-186**

**Comments Due: April 13, 2012**

**Reply Comments Due: April 30, 2012**

This Public Notice requests updated, year-end 2011 data and information on mobile wireless competition for the Federal Communications Commission's (Commission) Sixteenth Annual Report on the State of Competition in Mobile Wireless, including Commercial Mobile Radio Services (Sixteenth Report). On November 3, 2011, the Wireless Telecommunications Bureau (Bureau) released an initial Public Notice for the Sixteenth Report,<sup>1</sup> which asked commenters to submit data and statistics for the calendar-year 2010 time period, as well as information on any trends and developments that occurred during 2010 or 2011.<sup>2</sup>

While recent Mobile Wireless Competition Reports have included calendar-year data for one year, as well as some partial-year or quarterly metrics for the following year,<sup>3</sup> the Sixteenth Report will include calendar-year data for 2010 and 2011. However, because the *November 2011 Notice* was released prior to the end of 2011, it did not request calendar-year or year-end data for 2011. This Public Notice therefore seeks to refresh the record submitted in response to the *November 2011 Notice* with calendar-year, year-end data for 2011.

In this Public Notice, we request updated data and information on the same topics, issues, and metrics on which we sought comment in the *November 2011 Notice*. We ask that commenters refer to the *November 2011 Notice* and submit any calendar-year 2011 data relevant to the issues raised and questions posed in that *Notice*. In general, we ask that commenters submit data using the same framework presented in the *November 2011 Notice* and used in previous *Competition Reports*.<sup>4</sup> That framework groups indications of

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<sup>1</sup> "Wireless Telecommunications Bureau Seeks Comment on the State of Mobile Wireless Competition," *Public Notice*, 26 FCC Rcd 15595 (2011) (*November 2011 Notice*).

<sup>2</sup> *Id.* at 15596.

<sup>3</sup> Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions with Respect to Mobile Wireless Services, Including Commercial Mobile Services, *Fourteenth Report*, 25 FCC Rcd 11407 (2010); *Fifteenth Report*, 26 FCC Rcd 9664 (2011).

<sup>4</sup> Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Services, *Ninth Report*, 19 FCC (continued ...)

competition in the mobile wireless services industry into four categories – (1) industry structure; (2) provider conduct; (3) market performance; and (4) consumer behavior.<sup>5</sup> It also examines “upstream” or “input” market segments – such as spectrum, infrastructure, and backhaul – as well as “downstream” or “edge” market segments – such as devices, operating systems, applications, and mobile commerce.<sup>6</sup> Some of the specific data or metrics we request for calendar-year 2011 include:

- Measurements of mobile voice and mobile broadband service availability and deployment
- The number of mobile wireless subscribers and/or connections broken down into various categories including: provider, device, type of service, and type of pricing plan
- Data on mobile voice and broadband traffic and usage
- The level of concentration in the mobile wireless industry
- Price levels and trends
- Revenue metrics – including total revenue, average revenue per user, and revenue per unit (minute, message, or megabyte) – for the industry as a whole and for individual providers.
- Investment and profitability
- Service quality
- Churn
- Spectrum usage and spectrum concentration
- The role of infrastructure and backhaul in mobile wireless competition
- The types of mobile devices, operating systems, and applications purchased and used by consumers
- The extent of competition between mobile and fixed providers of voice, broadband, and video services
- Differences in the level of mobile wireless competition in urban versus rural areas of the United States
- Differences in the level of mobile wireless competition in the United States versus other countries

Commenters desiring confidential treatment of their submissions should request that their submission, or a specific part thereof, be withheld from public inspection.<sup>7</sup> In order to facilitate its analysis of

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Rcd 20597 (2004); *Tenth Report*, 20 FCC Rcd 15908 (2005); *Eleventh Report*, 21 FCC Rcd 10947 (2006) (*Eleventh Report*); *Twelfth Report*, 23 FCC Rcd 2241 (*Twelfth Report*); *Thirteenth Report*, 24 FCC Rcd 6185 (WTB 2009) (*Thirteenth Report*); *Fourteenth Report*, 25 FCC Rcd 11407 (2010); *Fifteenth Report*, 26 FCC Rcd 9664 (2011).

<sup>5</sup> *November 2011 Notice*, 26 FCC Rcd at 15595-96.

<sup>6</sup> *Id.*

<sup>7</sup> 47 C.F.R. § 0.459.

competitive trends over time, the Bureau requests that parties submit current data, as well as historic data, that are comparable over time.

As it did in the *November 2011 Notice*, the Bureau invites commenters to recommend additional or alternative indicators of competition to enhance the analysis of competitive market conditions with respect to mobile wireless in the Sixteenth Report. Commenters should submit, or identify sources for, the data and information needed to compile the proposed indicator.

Finally, the Bureau invites commenters to propose additional topics of interest that are related to the assessment of the status of competition in the mobile wireless marketplace. For example, have any noteworthy new trends or developments relevant to the assessment of competitive conditions in the mobile wireless marketplace emerged during 2010 and 2011?

## PROCEDURAL MATTERS

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments on or before **April 13, 2012** and reply comments on or before **April 30, 2012**. All filings should refer to WT Docket No. **11-186**. Comments may be filed: (1) using the Commission's Electronic Comment Filing System (ECFS), or (2) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

Comments and reply comments filed in response to this Public Notice will be available for public inspection and copying in the Commission's Reference Center, Room CY-A257, 445 12th Street, S.W., Washington, D.C. 20554, and via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 11-186. Copies of the request are also available from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail [FCC@BCPIWEB.com](mailto:FCC@BCPIWEB.com).

Comments may be filed using the ECFS or by filing paper copies. *See* *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, as follows:

-All hand-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., S.W., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Envelopes must be disposed of before entering the building. The filing hours at this location are 8:00 a.m. to 7:00 p.m. **PLEASE NOTE:** This is the **ONLY** location where hand-delivered or messenger-delivered paper filings

for the Commission's Secretary will be accepted. The Commission's former filing location at 236 Massachusetts Ave., N.E., is permanently closed.

-Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

-U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, DC 20554.

-All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Parties are requested to send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail [FCC@BCPIWEB.com](mailto:FCC@BCPIWEB.com).

Alternate formats of this Public Notice (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov).

For further information, contact Chelsea Fallon, Spectrum & Competition Policy Division, Wireless Telecommunications Bureau, (202) 418-7991, or Eliot Maenner, Spectrum & Competition Policy Division, Wireless Telecommunications Bureau, (202) 418-1650.