



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, S.W.
WASHINGTON, D.C. 20554

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

DA 13-2412
Released: December 18, 2013

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS AND T-MOBILE USA, INC. SEEK FCC CONSENT TO THE ASSIGNMENTS OF ADVANCED WIRELESS SERVICE AND PERSONAL COMMUNICATIONS SERVICE LICENSES

ULS File Nos. 0006012654, 0006014196, 0006012812, 0006014259, 0006014269, 0006014311,
0006014360, 0006014382, 0006014389, 0006014434, 0006014442, 0006014448, 0006014474,
0006014478, 0006014479, 0006014483, 0006015487, 0006015570, 0006015663, 0006015669,
0006015677, 0006015682, 0006015686, and 0006015698

PLEADING CYCLE ESTABLISHED

Petitions to Deny Due: January 6, 2014
Oppositions Due: January 16, 2014
Replies Due: January 24, 2014

I. INTRODUCTION

Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”) and T-Mobile USA, Inc. (“T-Mobile,” and together with Verizon Wireless, the “Applicants”) have filed applications pursuant to section 310(d) of the Communications Act of 1934, as amended,¹ seeking the simultaneous assignments of Advanced Wireless Service (“AWS-1”) and Personal Communications Service (“PCS”) licenses by and among Verizon Wireless, certain of its license subsidiaries, and certain wholly-owned subsidiaries of T-Mobile.² The subject licenses cover geographic areas scattered throughout the country. The proposed assignments involve only the transfer of spectrum; no customers or networks would be transferred. The Applicants assert that, as a result of this transaction, they could operate more efficiently due to holding larger blocks of contiguous spectrum and/or aligning spectrum blocks with those already held in adjacent markets.

Preliminary review of the applications indicates that, post-transaction, Verizon Wireless would hold 67 to 149 megahertz of spectrum and T-Mobile would hold 30 to 100 megahertz of spectrum in the 518 counties covering parts or all of 133 Cellular Market Areas (“CMAs”). The proposed assignments are, in some markets, intra-market exchanges, and nearly all of these intra-market exchanges involve the exchange of an equal amount of spectrum. The intra-market exchanges and the inter-market assignments will affect the Applicants’ spectrum holdings as follows.

¹ 47 U.S.C. § 310(d).

² The Verizon Wireless subsidiaries are: Alltel Communications, LLC; GTE Mobilnet of Indiana RSA #6 Limited Partnership; Rural Cellular Corporation; Verizon Wireless (VAW) LLC; Verizon Wireless Telecom Inc.; and WWC License L.L.C. The T-Mobile subsidiaries are: Powertel Memphis Licenses, Inc. and T-Mobile License LLC.

In the case of the intra-market exchanges of equal amounts of PCS spectrum, Verizon Wireless and T-Mobile would exchange 5 to 20 megahertz of PCS spectrum in 153 counties across 47 CMAs. In addition, in 11 counties across 3 CMAs in Texas, Verizon Wireless would assign 20 megahertz of PCS spectrum to T-Mobile, and would receive 10 megahertz of PCS spectrum in return. Finally, Verizon Wireless would assign 5 to 10 megahertz of PCS spectrum to T-Mobile in an additional 34 counties across 13 CMAs.

In the case of the intra-market exchanges of equal amounts of AWS-1 spectrum, Verizon Wireless and T-Mobile would exchange 10 to 20 megahertz of AWS-1 spectrum in 285 counties across 59 CMAs. In addition, in CMA228 (Vineland-Millville-Bridgeton, NJ), T-Mobile would assign 10 megahertz, and would receive 20 megahertz of AWS-1 spectrum, while in CMA73 (Oxnard-Simi Valley-Ventura, CA) and CMA135 (Eugene-Springfield, OR) T-Mobile would assign 40 megahertz, and would receive 30 megahertz of AWS-1 spectrum. Further, Verizon Wireless would assign 10 megahertz of AWS-1 spectrum to T-Mobile in 16 counties across four CMAs, and post transaction, T-Mobile would hold 30 to 40 megahertz of AWS-1 spectrum. Finally, T-Mobile would assign 10 to 20 megahertz of AWS-1 spectrum to Verizon Wireless in 26 counties across nine CMAs, and post-transaction, Verizon Wireless would hold 20 to 40 megahertz of AWS-1 spectrum.

II. SECTION 310(d) APPLICATIONS

The applications for the assignment of licenses have been assigned the following file numbers:

<u>File No.</u>	<u>Licensee/Assignor</u>	<u>Assignee</u>	<u>Lead Call Sign</u>
0006012654	T-Mobile License LLC	Cellco Partnership	KNLNF990
0006014196	T-Mobile License LLC	Cellco Partnership	WQCX679
0006012812	T-Mobile License LLC	GTE Mobilnet of Indiana RSA #6 Limited Partnership	WQCX679
0006014259	T-Mobile License LLC	WWC License L.L.C.	WQGB367
0006014269	T-Mobile License LLC	Verizon Wireless Telecom Inc.	KNLNF889
0006014311	T-Mobile License LLC	Verizon Wireless (VAW) LLC	WQCX689
0006014360	T-Mobile License LLC	Verizon Wireless (VAW) LLC	KNLGF579
0006014382	T-Mobile License LLC	Alltel Communications, LLC	WQGB316
0006014389	T-Mobile License LLC	Rural Cellular Corporation	KNLGF785
0006014434	T-Mobile License LLC	Cellco Partnership	WQKF358
0006014442	T-Mobile License LLC	Cellco Partnership	WQGD499
0006014448	T-Mobile License LLC	Cellco Partnership	WQGT872
0006014474	T-Mobile License LLC	Cellco Partnership	WQGD530
0006014478	T-Mobile License LLC	Cellco Partnership	WQGA725
0006014479	T-Mobile License LLC	Cellco Partnership	WQGD509
0006014483	Powertel Memphis Licenses, Inc.	Cellco Partnership	KNLH398
0006015487	Cellco Partnership	T-Mobile License LLC	KNLGF239

<u>File No.</u>	<u>Licensee/Assignor</u>	<u>Assignee</u>	<u>Lead Call Sign</u>
0006015570	Cellco Partnership	T-Mobile License LLC	WPTB359
0006015663	GTE Mobilnet of Indiana RSA #6 Limited Partnership	T-Mobile License LLC	WQQQ732
0006015669	Alltel Communications, LLC	T-Mobile License LLC	KNLG317
0006015677	WWC License L.L.C.	T-Mobile License LLC	KNLF919
0006015682	Verizon Wireless Telecom Inc.	T-Mobile License LLC	KNLF645
0006015686	Verizon Wireless (VAW) LLC	T-Mobile License LLC	KNLH279
0006015698	Rural Cellular Corporation	T-Mobile License LLC	WQAM304

III. *EX PARTE* STATUS OF THIS PROCEEDING

Pursuant to section 1.1200(a) of the Commission's rules,³ the Commission may adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires. We announce that this proceeding will be governed by permit-but-disclose *ex parte* procedures that are applicable to non-restricted proceedings under section 1.1206 of the Commission's rules.⁴

Parties making oral *ex parte* presentations are directed to the Commission's *ex parte* rules. Parties are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁵ More than a one- or two-sentence description of the views and arguments presented is generally required.⁶ Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well.⁷

IV. GENERAL INFORMATION

The assignment applications have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules or policies.

Interested parties must file petitions to deny no later than **January 6, 2014**. Persons and entities that file petitions to deny become parties to the proceeding. They may participate fully in the proceeding, including seeking access to any confidential information that may be filed under a protective order, seeking reconsideration of decisions, and filing appeals of a final decision to the courts. Oppositions to such pleadings must be filed no later than **January 16, 2014**. Replies to such pleadings must be filed no later than **January 24, 2014**. All filings concerning matters referenced in this Public Notice should refer to ULS File Nos. 0006012654, 0006014196, 0006012812, 0006014259, 0006014269, 0006014311, 0006014360, 0006014382, 0006014389, 0006014434, 0006014442, 0006014448, 0006014474,

³ 47 C.F.R. § 1.1200(a).

⁴ 47 C.F.R. § 1.1206.

⁵ See 47 C.F.R. § 1.1206(b)(1).

⁶ See *id.*

⁷ 47 C.F.R. § 1.1206(b).

0006014478, 0006014479, 0006014483, 0006015487, 0006015570, 0006015663, 0006015669, 0006015677, 0006015682, 0006015686, and/or 0006015698, as appropriate.

To allow the Commission to consider fully all substantive issues regarding the applications in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.⁸ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

Under the Commission's current procedures for the submission of filings and other documents,⁹ submissions in this matter may be filed electronically through the Commission's Universal Licensing System ("ULS") or by hand delivery to the Commission.

- **To file electronically**, visit the ULS web site at <http://wireless.fcc.gov/uls/> and click on the "Submit a Pleading" link, complete the administrative information, and upload your pleading.
- **To file by paper**, the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, D.C. 20554. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. 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, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings), to: (1) the Commission's duplicating contractor, Best Copy and Printing, Inc., at FCC@BCPIWEB.COM or (202) 488-5563 (facsimile); (2) Scott Patrick, Mobility Division, Wireless Telecommunications Bureau, at scott.patrick@fcc.gov or (202) 418-7447 (facsimile); (3) Linda Ray, Broadband Division, Wireless Telecommunications Bureau, at linda.ray@fcc.gov or (202) 418-7247 (facsimile); (4) Kate Matraves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at catherine.matraves@fcc.gov or (202) 418-7447 (facsimile); and (5) Jim Bird, Office of General Counsel, at TransactionTeam@fcc.gov or (202) 418-1234 (facsimile).

Copies of the applications and any subsequently-filed documents in this matter may be obtained from Best Copy and Printing, Inc. in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via email at FCC@BCPIWEB.COM. The applications and any associated documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The

⁸ See 47 C.F.R. § 1.45(c).

⁹ See FCC Announces Change in Filing Location for Paper Documents, *Public Notice*, 24 FCC Rcd 14312 (2009).

applications are also available electronically through ULS, which may be accessed on the Commission's Internet website. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). Contact the FCC to request reasonable accommodations for filing comments (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov; phone: (202) 418-0530 or TTY: (202) 418-0432.

For further information, contact Scott Patrick, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2853, or Kate Matraves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at (202) 391-6272.

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