



PUBLIC NOTICE

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

DA 11-722

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

Released: April 21, 2011

COMMISSION ANNOUNCES THAT THE APPLICATIONS PROPOSING THE TRANSFER OF CONTROL OF THE LICENSES AND AUTHORIZATIONS HELD BY T-MOBILE USA, INC. AND ITS SUBSIDIARIES FROM DEUTSCHE TELEKOM AG TO AT&T INC. HAVE BEEN FILED AND PERMIT-BUT-DISCLOSE *EX PARTE* PROCEDURES NOW APPLY

WT Docket No. 11-65

On April 21, 2011, AT&T Inc. (“AT&T”) and Deutsche Telekom AG (“Deutsche Telekom”) filed applications seeking the Commission’s consent to the transfer of control of the licenses and authorizations held by T-Mobile USA, Inc. (“T-Mobile USA”) and its wholly-owned and controlled subsidiaries from Deutsche Telekom to AT&T (“Applications”).¹ This public notice provides notice that the Applications have been filed and announces that this proceeding is now governed by permit-but-disclose *ex parte* procedures that are applicable to non-restricted proceedings under section 1.1206 of the Commission’s rules.² We note that this public notice does not establish the pleading cycle for the Applications; a future public notice will be issued that will set for the dates for the filing of pleadings once the applications have been determined to be complete and acceptable for filing. We also note that, 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.⁴

Parties making oral *ex parte* presentations are directed to the Commission’s statement reemphasizing the public’s responsibility in permit-but-disclose proceedings and 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 The Commission previously announced that it had opened a docket for this proceeding. *See* Commission Opens Docket for Proposed Transfer of Control of T-Mobile USA, Inc. and Its Subsidiaries From Deutsche Telekom AG to AT&T Inc., WT Docket No. 11-65, *Public Notice*, DA 11-673 (rel. Apr. 14, 2011).

² 47 C.F.R. § 1.1206.

³ *Id.* § 1.1200(a).

⁴ On February 1, 2011, the Commission adopted a Report and Order amending and revising the Commission’s rules on *ex parte* presentations. Amendment of the Commission’s *Ex Parte* Rules and Other Procedural Rules, GC Dkt. No. 10-43, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 11-11 (rel. Feb. 2, 2011). The revised rules are awaiting publication in the Federal Register, and are not yet effective.

⁵ *See* Commission Emphasizes the Public’s Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁶ *See* 47 C.F.R. § 1.1206(b)(2).

1.1206(b).⁷ We urge parties to use the Electronic Comment Filing System (“ECFS”) to file *ex parte* submissions.

REQUESTS FOR *EX PARTE* MEETINGS

All requests for meetings with Commission staff regarding this Docket should be made on-line, using the electronic *ex parte* meeting request form at <http://www.fcc.gov/transaction/att-tmobile-exparte-meeting-request/>. Those who lack Internet access may direct their requests to Morasha Younger, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, 202.418.1203.

One copy of each *ex parte* submission, which should include a reference to WT Docket No. 11-65, 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) Kathy Harris, Mobility Division, Wireless Telecommunications Bureau (WTB), at kathy.harris@fcc.gov or (202) 418-7447 (facsimile); (3) Kate Matraves, Spectrum and Competition Policy Division, WTB, at catherine.matraves@fcc.gov or (202) 418-7447 (facsimile); and (4) Jim Bird, Office of General Counsel, at jim.bird@fcc.gov or (202) 418-1234 (facsimile).

For further information, send an email to AT&T_T-MobileTransaction@fcc.gov.

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⁷ *Id.* § 1.1206(b).