



# 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 14-1205  
Released: August 20, 2014

## T-MOBILE AND CENTURYLINK SEEK FCC CONSENT TO THE ASSIGNMENT OF THIRTEEN LOWER 700 MHZ A BLOCK LICENSES

ULS File No. 0006402872

### PLEADING CYCLE ESTABLISHED

**Petitions to Deny Due: September 3, 2014**

**Oppositions Due: September 15, 2014**

**Replies Due: September 22, 2014**

#### I. INTRODUCTION

T-Mobile License LLC (“T-Mobile”), a wholly-owned subsidiary of T-Mobile USA, Inc., and Actel, LLC (“CenturyLink”), a wholly-owned subsidiary of CenturyLink, Inc. (CenturyLink, together with T-Mobile, the “Applicants”) have filed an application pursuant to section 310(d) of the Communications Act of 1934, as amended,<sup>1</sup> seeking the assignment of thirteen Lower 700 MHz A Block licenses from CenturyLink to T-Mobile. The subject licenses cover geographic areas throughout the United States. The proposed transaction involves the transfer of spectrum; no customers or networks would be transferred.

The Applicants assert that the proposed transaction would allow T-Mobile to expand its coverage and offer improved services to its customers. The Applicants further contend that T-Mobile would become a stronger competitor in the subject markets and nationwide, which would enhance competition and improve the quality of services in the mobile wireless marketplace.

Our preliminary review indicates that, as a result of the proposed transaction, T-Mobile would acquire 12 megahertz of Lower 700 MHz A Block spectrum in 179 counties in all or parts of 50 Cellular Market Areas (“CMAs”) in parts of various states. Post-transaction T-Mobile would hold 32 to 82 megahertz of spectrum in total in these 50 CMAs, including 12 megahertz of spectrum below 1 GHz.

#### II. SECTION 310(d) APPLICATION

The application for the assignment of licenses has been assigned the following file number:

| <u>File No.</u> | <u>Licensee/Assignor</u> | <u>Assignee</u>      | <u>Lead Call Sign</u> |
|-----------------|--------------------------|----------------------|-----------------------|
| 0006402872      | Actel, LLC               | T-Mobile License LLC | WQIZ456               |

<sup>1</sup> 47 U.S.C. § 310(d).

### III. EX PARTE STATUS OF THIS PROCEEDING

Pursuant to section 1.1200(a) of the Commission's rules,<sup>2</sup> 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.<sup>3</sup>

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.<sup>4</sup> More than a one- or two-sentence description of the views and arguments presented is generally required.<sup>5</sup> Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well.<sup>6</sup>

### IV. GENERAL INFORMATION

The assignment application has 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 **September 3, 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 **September 15, 2014**. Replies to such pleadings must be filed no later than **September 22, 2014**. All filings concerning matters referenced in this Public Notice should refer to ULS File No. 0006402872.

**To allow the Commission to consider fully all substantive issues regarding the application 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.<sup>7</sup> 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,<sup>8</sup> 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.

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<sup>2</sup> 47 C.F.R. § 1.1200(a).

<sup>3</sup> 47 C.F.R. § 1.1206.

<sup>4</sup> See 47 C.F.R. § 1.1206(b)(1).

<sup>5</sup> See *id.*

<sup>6</sup> 47 C.F.R. § 1.1206(b).

<sup>7</sup> See 47 C.F.R. § 1.45(c).

<sup>8</sup> See FCC Announces Change in Filing Location for Paper Documents, *Public Notice*, 24 FCC Rcd 14312 (2009).

- **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) Kate Matraves, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at catherine.matraves@fcc.gov or (202) 418-7447 (facsimile); and (4) Jim Bird, Office of General Counsel, at TransactionTeam@fcc.gov or (202) 418-1234 (facsimile).

Copies of the application 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 application 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 application also is 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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