



# PUBLIC NOTICE

**Federal Communications Commission**  
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Washington, D.C. 20554

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**DA 19-161**

**Released: March 7, 2019**

**COMMISSION ANNOUNCES RECEIPT OF ADDITIONAL ANALYSIS  
AND INFORMATION FROM T-MOBILE AND SPRINT;  
ESTABLISHES COMMENT DEADLINE**

**WT Docket No. 18-197**

**Comments Due: March 28, 2019**

Pending before the Commission are applications filed by T-Mobile US, Inc. (T-Mobile), and Sprint Corporation (Sprint, and together with T-Mobile, the Applicants) seeking Commission consent to the transfer of control of licenses and authorizations from Sprint to T-Mobile. On July 18, 2018, the Commission accepted the applications for filing and established a pleading cycle for the proposed transaction.<sup>1</sup> Following the submission of new economic and engineering modeling by the Applicants in September 2018, the Commission paused its informal 180-day clock,<sup>2</sup> and extended the deadline for replies to October 31, 2018.<sup>3</sup> On November 13, 2018, following the Applicants' submission of further new economic modeling,<sup>4</sup> the Commission extended the clock stoppage to allow interested parties to file comments on the new submission.<sup>5</sup> The Commission resumed the clock on December 4, 2018.<sup>6</sup>

On February 21, 2019, and March 6, 2019, the Applicants filed significant additional information regarding their network integration plans for 2019-2021, an extension of their previously filed merger simulation analysis to cover the years 2019-2021, and additional information regarding their claims

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<sup>1</sup> *T-Mobile US, Inc., and Sprint Corporation Seek FCC Consent to the Transfer of Control of the Licenses, Authorizations, and Spectrum Leases Held by Sprint Corporation and Its Subsidiaries to T-Mobile US, Inc., and the Pro Forma Transfer of Control of the Licenses, Authorizations, and Spectrum Leases Held by T-Mobile US, Inc., and Its Subsidiaries*, WT Docket No. 18-197, Public Notice, 33 FCC Rcd 6771 (2018) (*Public Notice*).

<sup>2</sup> See Letter from David B. Lawrence, Director, T-Mobile/Sprint Transaction Task Force, and Donald K. Stockdale, Jr., Chief, Wireless Telecommunications Bureau, to Kathleen O'Brien Ham, T-Mobile US, Inc., and Vonya B. McCann, Sprint Corporation (Sept. 11, 2018).

<sup>3</sup> *Applications of T-Mobile US, Inc., and Sprint Corporation for Consent To Transfer Control of Licenses and Authorizations; Extension of Date for Filing Replies*, WT Docket No. 18-197, Public Notice, DA 18-1012 (WTB Oct. 2, 2018).

<sup>4</sup> Economic Analysis of the Proposed T-Mobile/Sprint Merger, by T-Mobile US, Inc., WT Docket No. 18-197, at i (filed Nov. 6, 2018).

<sup>5</sup> *Commission Announces Receipt of Supplemental Analysis From T-Mobile; Establishes Comment Deadline*, WT Docket No. 18-197, Public Notice, DA 18-1155 (WTB Nov. 13, 2018).

<sup>6</sup> The clock was also paused while the Commission was generally closed in January 2019 due to a partial lapse in government funding.

related to fixed wireless broadband services.<sup>7</sup> These filings contain substantial new material and reach conclusions about the effects of the transaction that were not previously in the record.

When applicants have made substantial new submissions in support of their transactions after their initial applications, the Commission typically has sought additional comment from the public and paused its 180-day informal time clock to allow for staff and third-party review.<sup>8</sup> Doing so ensures that the public interest in a speedy review is balanced with the public interest in careful and thorough analysis and the need for third parties to comment on material information submitted by the applicants.

The Commission therefore is stopping the clock as of today, March 7, 2019, and is seeking comment on the Applicants' extension of their economic analysis and the additional information they filed. Comments should be limited to the Applicants' new submissions and not repeat arguments previously raised. Interested parties must file comments by no later than **March 28, 2019**. All filings should refer to WT Docket No. 18-197. Absent further significant new record submissions by the Applicants or other outstanding issues, including documentation of claims of privilege, the informal 180-day clock will resume on April 4, 2019, at day 122.

Under the Commission's current procedures for the submission of filings and other documents,<sup>9</sup> non-confidential submissions in this matter may be filed electronically through the Commission's Electronic Comment Filing System (ECFS) or by hand delivery to the Commission. Confidential submissions must also follow the procedures set forth in the Protective Order in this proceeding.<sup>10</sup>

- **To file electronically**,<sup>11</sup> access ECFS via the Internet at <http://apps.fcc.gov/ecfs>. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket number.
- **To file by paper**, the original and one copy 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., SW, Room TW-A325, Washington, DC 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 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading, *ex parte* submission, or other filing must be delivered electronically, by email or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial

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<sup>7</sup> Letter from Nancy Victory, Counsel for T-Mobile US, Inc., WT Docket No. 18-197 (filed Feb. 22, 2019); Letter from Nancy Victory, Counsel for T-Mobile US, Inc., WT Docket No. 18-197 (filed March 6, 2019).

<sup>8</sup> See, e.g., *Commission Announces Extension of Time To File Replies to Responses and Oppositions for Its Review of Applications of Comcast Corporation, Time Warner Cable, Inc., Charter Communications, Inc.*, MB Docket No. 14-57, Public Notice, 29 FCC Rcd 11773 (MB 2014); Letter from Rick Kaplan, Chief, Wireless Telecommunications Bureau, to Richard L. Rosen, Counsel for AT&T Inc., WT Docket No. 11-65 (July 20, 2011), <https://docs.fcc.gov/public/attachments/DOC-308512A1.pdf>; *Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. For Consent To Assign Licenses or Transfer Control of Licenses*, Order, 25 FCC Rcd 3802 (MB 2010).

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

<sup>10</sup> *Applications of T-Mobile US, Inc., and Sprint Corporation for Consent To Transfer Control of Licenses and Authorizations*, WT Docket No. 18-197, Protective Order, 33 FCC Rcd 6036 (2018).

<sup>11</sup> *Electronic Filing of Documents in Rulemaking Proceedings*, Report and Order, 13 FCC Rcd 11322 (1998).

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) Kathy Harris, Mobility Division, Wireless Telecommunications Bureau, at [kathy.harris@fcc.gov](mailto:kathy.harris@fcc.gov) or (202) 418-2643 (facsimile); (2) Linda Ray, Broadband Division, Wireless Telecommunications Bureau, at [linda.ray@fcc.gov](mailto:linda.ray@fcc.gov) or (202) 418-7247 (facsimile); (3) Kate Matraves, Office of Economics and Analytics, at [catherine.matraves@fcc.gov](mailto:catherine.matraves@fcc.gov) or (202) 418-0787 (facsimile); (4) Jim Bird, Office of General Counsel, at [TransactionTeam@fcc.gov](mailto:TransactionTeam@fcc.gov) or (202) 418-1234 (facsimile); and (5) David Krech, Telecommunications and Analysis Division, International Bureau, at [david.krech@fcc.gov](mailto:david.krech@fcc.gov) or (202) 418-2824 (facsimile). Any submission emailed to these individuals should include in the subject line of the email: (1) WT Docket No. 18-197; (2) the name of the submitting party; and (3) a brief description or title identifying the type of document being submitted (e.g., WT Docket No. 18-197, Widget Corp., Notice of *Ex Parte* Communications).

The application and any associated documents are available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. The exhibits and declarations associated with the proposed transaction are available electronically through ECFS, which may be accessed on the Commission's Internet website. The applications in addition are available electronically through ULS, which also may be accessed on the Commission's Internet website. Additional information regarding the proposed transaction will be available on the FCC's Office of General Counsel's T-Mobile/Sprint website, <https://www.fcc.gov/transaction/t-mobile-sprint>, which will contain an unofficial listing and electronic copies of materials in this matter.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto: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](mailto:FCC504@fcc.gov); phone: (202) 418-0530; or TTY: (202) 418-0432.

For further information, send an email to [T-MobileSprintTransaction@fcc.gov](mailto:T-MobileSprintTransaction@fcc.gov).

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