



# PUBLIC NOTICE

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## AUCTION 108 LONG-FORM APPLICATION OF T-MOBILE LICENSE LLC FOR 2.5 GHZ BAND LICENSES

### NUMBERING RESOURCE UTILIZATION AND FORECAST (NRUF) REPORTS AND LOCAL NUMBER PORTABILITY (LNP) REPORTS PLACED INTO THE RECORD, SUBJECT TO THE PROTECTIVE ORDER

**CC Docket No. 99-200**  
**ULS File No. 0010206629**

T-Mobile License LLC (T-Mobile) filed an Auction 108<sup>1</sup> long-form application (FCC Form 601) for licenses in the 2.5 GHz band (2496-2690 MHz).<sup>2</sup> T-Mobile won multiple licenses in Auction 108, the auction of new flexible-use overlay licenses in the 2.5 GHz band.<sup>3</sup> Subsequent to T-Mobile's filing of its long-form application, AT&T Services, Inc. (AT&T) filed a petition to deny regarding the 2.5 GHz band licenses that T-Mobile won in Auction 108.<sup>4</sup>

In connection with the Commission's review of T-Mobile's long-form application, the Commission is examining information contained in the biannual Numbering Resource Utilization and Forecast (NRUF) reports filed by wireless telecommunications carriers,<sup>5</sup> carrier-specific local number portability (LNP) data related to wireless telecommunications carriers, and further disaggregated monthly carrier-specific local number portability data (Carrier-to-Carrier LNP Data) related to wireless telecommunications carriers. These data may assist the Commission in assessing the competitive effects of the transaction. Accordingly, the NRUF reports for all wireless telecommunications carriers for December 2022 and the monthly LNP reports for all wireless telecommunications carriers for January 2022 through December 2022 are being placed in the record in these proceedings, subject to the provisions of a protective order.<sup>6</sup>

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<sup>1</sup> Auction 108, which began on July 29, 2022, offered approximately 8,000 county-sized overlay licenses in the single largest contiguous portion of available mid-band spectrum below 3 GHz. *Auction of Flexible-Use Licenses in the 2.5 GHz Band for Next-Generation Wireless Services, Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 108, Bidding Scheduled to Begin July 29, 2022*, AU Docket No. 20-429, Public Notice, 37 FCC Rcd 4370, 4372, para. 1 (2022).

<sup>2</sup> T-Mobile filed its long-form application on September 16, 2022 and subsequently amended its application on October 4, 2022, November 7, 2022, and February 1, 2023. *See Amended Application of T-Mobile License LLC for 2.5 GHz Licenses, Form 601, ULS File No. 0010206629* (filed Feb. 1, 2023).

<sup>3</sup> *Auction of Flexible-Use Licenses in the 2.5 GHz Band Closes; Winning Bidders Announced for Auction 108*, AU Docket No. 20-429, Public Notice, 37 FCC Rcd 10117, para. 1 (WTB/OEA 2022).

<sup>4</sup> On November 7, 2022, AT&T filed a petition to deny, pursuant to 47 U.S.C. § 309 and 47 CFR § 1.2108. *Petition to Deny of AT&T Services, Inc.*, ULS File No. 0010206629 (filed Nov. 7, 2022).

<sup>5</sup> 47 CFR §§ 1.907, 52.5.

<sup>6</sup> A protective order will be adopted concurrently.

Section 251 of the Communications Act grants the Commission jurisdiction over the North American Numbering Plan (NANP) and related telephone numbering issues.<sup>7</sup> To monitor better the way numbering resources are used within the NANP and allocate NANP resources efficiently, the Commission requires telecommunications carriers to provide the Commission with a utilization report of their current inventory of telephone numbers and a five-year forecast of their numbering resource requirements.<sup>8</sup> LNP data are collected by the LNP Administrator and provided to the Commission.

The Commission has recognized that disaggregated, carrier-specific forecast and utilization data should be treated as confidential and should be exempt from public disclosure under 5 U.S.C. § 552(b)(4).<sup>9</sup> The NRUF and LNP reports are being placed into the record subject to the provisions of a protective order. As such, the NRUF and LNP data will not be available to the public except pursuant to the terms of the protective order, as outlined below.

Persons seeking to review the NRUF and LNP data may do so only for purposes of participating in this proceeding. Pursuant to the protective order, outside persons participating or intending to participate in the proceeding who are not involved in competitive decision-making activities and who have signed the Acknowledgment of Confidentiality attached to the protective order may review the NRUF and LNP data. We emphasize that persons seeking to review the NRUF and LNP data must have adequate protections in place to prevent improper use or disclosure of the information.

Affected parties have until **February 15, 2024** to oppose the limited disclosure of their NRUF and LNP data pursuant to the protective order.<sup>10</sup> In addition, affected parties will have five business days after the filing of an acknowledgment of confidentiality to object to the release of their data to a particular person who requests permission to review it.

Under the Commission's current procedures for the submission of filings and other documents,<sup>11</sup> submissions in this matter may be filed electronically through the Commission's Universal Licensing System (ULS), referencing the file numbers set forth above.

- **To file electronically**,<sup>12</sup> filings shall be sent as an electronic file via the Internet to <https://wireless2.fcc.gov/UlsEntry/pleadings/pleadingsType.jsp>. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable ULS file number.
- **To file by paper**: Filings in response to this Public Notice may be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  - 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 must be addressed to 45 L Street, NE, Washington, DC 20554.

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<sup>7</sup> 47 U.S.C. § 251.

<sup>8</sup> 47 CFR § 52.15(f); *see Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rule Making, 15 FCC Rcd 7574, 7578-79, para. 5 (2000) (*Numbering Report and Order*).

<sup>9</sup> *Numbering Report and Order*, 15 FCC Rcd at 7607, para. 78.

<sup>10</sup> If disclosure is opposed, the procedures set forth in 47 CFR § 0.461(i) shall apply.

<sup>11</sup> *FCC Announces Change in Filing Location for Paper Documents*, Public Notice, 24 FCC Rcd 14312 (2009).

<sup>12</sup> *Electronic Filing of Documents in Rulemaking Proceedings*, Report and Order, 13 FCC Rcd 11322 (1998).

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand delivered or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.<sup>13</sup>

One copy of each filing must be delivered electronically, by email, or if delivered as paper copy, by messenger delivery, 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) Susannah Larson, Wireless Telecommunications Bureau, at [Susannah.Larson@fcc.gov](mailto:Susannah.Larson@fcc.gov); (2) Catherine Matraves, Office of Economics and Analytics, at [Catherine.Matraves@fcc.gov](mailto:Catherine.Matraves@fcc.gov); and (3) Joel Rabinovitz, Office of General Counsel, at [Joel.Rabinovitz@fcc.gov](mailto:Joel.Rabinovitz@fcc.gov). Any submission emailed to these individuals should include in the subject line of the email, for example: (1) ULS File No. 0010206629; (2) the name of the submitting party; and (3) a brief description or title identifying the type of document being submitted (e.g., ULS File No. 0010206629, Widget Corp., NRUF Objection).

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Government Affairs Bureau at (202) 418-0530.

This action is taken pursuant to sections 4(i) and 309 of the Communications Act, 47 U.S.C. §§ 154(i), 309, section 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4), and authority delegated under section 0.331 of the Commission's rules, 47 CFR § 0.331, and is effective upon its adoption.

For further information regarding this proceeding, please contact Susannah Larson, [Susannah.Larson@fcc.gov](mailto:Susannah.Larson@fcc.gov); Catherine Matraves, [Catherine.Matraves@fcc.gov](mailto:Catherine.Matraves@fcc.gov); or Joel Rabinovitz, [Joel.Rabinovitz@fcc.gov](mailto:Joel.Rabinovitz@fcc.gov).

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<sup>13</sup> *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020), <https://www.fcc.gov/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.