



Alison A. Minea
Corporate Counsel
Alison.Minea@dishnetwork.com
(202) 293-0981

September 20, 2011

EX PARTE PRESENTATION

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Presentation in WT Docket No. 11-65, Applications of AT&T Inc. and Deutsche Telekom AG For Consent to Assign or Transfer Control of Licenses and Authorizations; IB Docket No. 11-150, DISH Network Corporation Files to Acquire Control of Licenses and Authorizations Held By New DBSD Satellite Services G.P, Debtor-in-Possession and TerreStar License Inc., Debtor-in-Possession; IB Docket No. 11-149, New DBSD Satellite Service G.P., Debtor-in-Possession, and TerreStar Licensee Inc., Debtor-in-Possession, Request for Rule Waivers and Modified Ancillary Terrestrial Component Authority

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, DISH Network L.L.C. ("DISH Network") submits this letter summarizing a meeting on Friday, September 16, 2011 with Commissioner Robert McDowell and Angela Giancarlo, Chief of Staff and Senior Legal Advisor to Commissioner McDowell. Present at the meeting on behalf of DISH Network was Jeffrey Blum, Senior Vice President and Deputy General Counsel; and Alison Minea, Corporate Counsel.

During the meeting, DISH Network urged the Commission to swiftly designate for hearing the AT&T takeover of T-Mobile, now that the Department of Justice has filed a lawsuit to block the merger. Timing is critical, and delay only benefits AT&T. No further delay is warranted, because there is no set of conditions or divestures that would resolve the substantial harms posed to the public and to competition.

The greatest threat posed by this merger is the loss of T-Mobile as a leader in introducing innovative technologies, as well as its presence as a national competitor to discipline AT&T and Verizon. T-Mobile can survive and thrive after the pending merger is denied. The longer the merger proceeding lasts, however, the more harm is done to T-Mobile. The sooner the Commission acts, the sooner T-Mobile can refocus its efforts on finding ways to

grow its business. Denial of the AT&T takeover of T-Mobile also promotes competition from new entrants. As DISH Network discussed in its Petition to Deny and replies,¹ the proposed merger could harm DISH Network's ability to enter the market to provide wireless broadband.

An important step in DISH Network's efforts to bring greater competition to the wireless broadband market is its planned acquisition of satellite operators DBSD and TerreStar out of bankruptcy and its request for regulatory flexibility necessary to, among other things, offer dual-mode devices to all customers who want them while offering single-mode terrestrial devices available to customers who do not require the satellite function. The proposed transactions will allow DISH Network to launch a hybrid satellite and terrestrial mobile and fixed broadband network using 40 MHz of 2 GHz Mobile-Satellite Service spectrum to provide American consumers with greater choice for mobile broadband services.

Respectfully submitted,

/s/ Alison A. Minea

Alison A. Minea

cc: Angela Giancarlo

¹ See Petition to Deny of DISH Network L.L.C. at pp. 6-10, *Applications of AT&T Inc. and Deutsche Telekom AG For Consent to Assign or Transfer Control of Licenses and Authorizations*, WT Docket No. 11-65 (filed May 31, 2011). See also Reply of DISH Network L.L.C. to Joint Opposition of AT&T Inc., Deutsche Telekom AG, and T-Mobile USA, Inc. to Petitions to Deny and Reply to Comments at 2-3, *Applications of AT&T Inc. and Deutsche Telekom AG For Consent to Assign or Transfer Control of Licenses and Authorizations*, WT Docket No. 11-65 (filed June 20, 2011).