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November 28, 2011

**EX PARTE PRESENTATION**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> 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***

Dear Ms. Dortch:

On November 28, 2011, Jeffrey H. Blum, SVP and Deputy General Counsel of DISH Network L.L.C. (DISH), had a telephone call with Edward Lazarus, Chief of Staff for Chairman Genachowski, regarding the above-referenced proceeding.

During the discussion, DISH urged the Commission to vote on and release the Hearing Designation Order (“HDO”) circulated on Wednesday, November 23, 2011. The release of the HDO can be done simultaneously -- if the Commission chooses to do so -- with the grant of AT&T’s motion to withdraw their applications.

It is in the public interest for the findings in the HDO to be released. As the expert agency on commercial wireless matters, the Commission has staff expertise not found anywhere else in the federal government and is in a unique position to analyze claims made by the Applicants. As long as this transaction remains pending, the public and the courts should have the benefit of that expertise. Over the course of seven months, the Commission has heard from thousands of parties and reviewed over a million documents. The record demonstrates that AT&T and Deutsche Telekom have failed to carry their burden of proof in showing that the proposed transaction is in the public interest. There is no set of conditions or divestitures that would resolve the substantial harms posed to the public and to competition. The proposed transaction would raise prices, discourage innovation, harm consumers and cause massive job layoffs.

Not issuing the HDO would render moot the significant public and private resources spent on analyzing this transaction under the Communications Act and would be contrary to the vital role the Commission, as the expert agency, plays in regulating spectrum licensees and protecting the public interest. Safeguarding this role through the prompt issuance of a Hearing Designation Order is especially important and would be a valuable resource to the public and the courts.

Respectfully submitted,

/s/ Jeffrey H. Blum

Jeffrey H. Blum  
Deputy General Counsel  
DISH Network L.L.C.

cc: Eddie Lazarus