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December 6, 2011

VIA ECFS

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

Re: *Applications of AT&T Mobility Spectrum LLC and Qualcomm
Incorporated for Consent to the Assignment of Licenses,*
WT Docket No. 11-18
Notice of Ex Parte Presentation

Dear Ms. Dortch,

On Friday, December 2, 2011, Robert Quinn, Gary Phillips and Joan Marsh, of AT&T, met with Angela Giancarlo, Chief of Staff for Commissioner Robert McDowell. AT&T expressed support for the above-referenced proposed transaction, in that the transaction will enable efficient use of unpaired spectrum that is currently unutilized and will permit deployment of new LTE technologies in the United States. AT&T noted, however, that footnote 137 in the Staff Analysis and Findings recently released in Docket No. 11-65 suggests that the draft Order on circulation in this matter reduces the amount of SMR spectrum used in the spectrum screen from 26.5 MHz to 14 MHz.¹ AT&T argued that there was no record for making that reduction in this proceeding.

AT&T further argued that if the screen is to be adjusted, the Commission should account for other spectrum bands that are currently undercounted or uncounted, including all 194 MHz of BRS/EBS spectrum, not just the 55.5 MHz it currently considers, the 1900 MHz G block (where Sprint will deploy a LTE network next year) and the MSS bands, which the Commission has acknowledged could be used for the provision of mobile voice and broadband services.²

Given the central role the spectrum screen plays in the Commission's competitive analysis of transactions filed before it, AT&T argued that the Commission should make

¹ *In re Applications of AT&T Inc. and Deutsche Telekom AG for Consent to Assign or Transfer Control of Licenses and Authorizations*, Staff Analysis and Findings, at 23 n.137, WT Docket No. 11-65 (rel. Nov. 29, 2011).

² *In re Fixed and Mobile Servs. in the Mobile Satellite Service Bands*, Report and Order, 26 FCC Rcd 5710, 5720-21 ¶ 23 (2011).

adjustments to its screen in an open rulemaking, conducted and concluded annually, allowing party participants to file comments, and subjecting the Commission's decisions on the screen to judicial review.

In accordance with Commission rules, this letter is being filed electronically with your office for inclusion in the public record.

Sincerely,

A handwritten signature in black ink, appearing to be 'JM', with a long horizontal line extending to the right.

Joan Marsh

cc: Angela Giancarlo
Kathy Harris
Kate Matraves
Jim Bird
Best Copy & Printing, Inc.