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Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St., S.W.
Washington, D.C. 20554

Re: Notice of *Ex Parte* Communication
WT Docket No. 11-18, RM 11592

Dear Ms. Dortch:

This letter responds to recent Notices of *Ex Parte* Presentation filed by Vulcan Wireless LLC ("Vulcan") in the above referenced dockets. Specifically, on November 25, 2011, Vulcan submitted a 700 MHz interference study to support its request that the Federal Communications Commission ("Commission") impose a 700 MHz band interoperability condition on the approval of AT&T's acquisition of Lower 700 MHz spectrum from Qualcomm. On November 30, 2011 and December 6, 2011, Vulcan filed additional Notices that reiterated the findings from the study.

AT&T has maintained that the issues raised by Lower A Block licensees, such as Vulcan, that are currently under consideration by the Commission in RM 11592 should be considered and resolved in that docket and that Lower 700 MHz interoperability conditions should not be imposed in the AT&T—Qualcomm transaction because they are not transaction specific, the transaction does not involve Lower A Block spectrum, and imposing such conditions would subject AT&T subscribers to interference risks. Vulcan's recent *Ex Parte* letters do not alter those facts. In particular, the study submitted by Vulcan, which it touts as a "real world" study, does not replicate real world experiences, is limited in scope, and suffers from numerous defects, all of which undermine its credibility. Although the study omits the details about the methodology and assumptions used that a third party would need to thoroughly assess the findings, the following problems with the study are evident from the limited data provided:

- To assess the potential for Channel 51 to Band 12 device interference, Vulcan performed drive tests to measure Channel 51 signals from a transmitter in Rome, GA. It appears that Vulcan's measurements occurred only to within two kilometers of the transmitter, whereas the strongest signals from a transmitter can occur within a two kilometer radius. Vulcan's measurements do not account for these real world situations.

- To assess the potential for E Block to Band 12 device interference, Vulcan tested the signal level of a network deployed with four transmitters in Atlanta, GA. In a March 6, 2011, Notice of *Ex Parte* Presentation, Qualcomm advised the Commission that it required 13, not four, transmitters to adequately serve the Atlanta market, which would lead to higher E Block signal levels. Further, it is unclear whether the E Block transmitters for which Vulcan measured the signal level were operating at maximum power. Thus, Vulcan's assumptions underlying its E Block testing also do not reflect what may be experienced in the real world.

- Vulcan minimizes the interference to Band 12 devices from E Block transmissions by claiming that it is equivalent to interference between the B Block and C Block. Contrary to those findings, AT&T believes that the signal level from E Block transmissions (and corresponding interference) will be higher than assumed by Vulcan, a belief that appears to be borne out by Qualcomm's suggestion that Vulcan should have used more than four transmitters transmitting at 50 kW to measure E Block signal levels.

- From the measurements on the LPTV station with transmit power of 10 kW, the Vulcan study found received power levels of -21 dBm and noted that it did not believe that this would cause problems. It should be noted, however, that if the transmit power at that station was 1 MW (i.e. 20 dB higher), the received power would be -1 dBm and from Vulcan's analysis this could introduce interference.

- The study conducts its testing using Band 17 devices, rather than Band 12 devices. Vulcan seems to presume that Band 12 filter characteristics would mimic the characteristics of Band 17 filters, a presumption that may be unfounded. Further, Vulcan limited its testing to two devices, an insufficient sample to extrapolate to the performance of all Band 17/Band 12 devices.

- The study does not address other interference issues, such as high-powered broadcast on Channel 51 into A Block base stations and Band 12 device interference into TV receivers operating on Channel 51.

In its November 30, 2011, Notice of *Ex Parte* Presentation, Vulcan also states that the proposed AT&T—Qualcomm transaction has already negatively impacted Lower 700 MHz licensees because of a guard band proposal submitted to the 3rd Generation Partnership Project ("3GPP"). This is a red herring, as the proposal was not voted on, much less accepted, by the standards body. Further, Vulcan's suggestion that the proposal was hidden from the Commission is misleading, as a Commission representative was present at the 3GPP meetings at which this proposal was submitted.

In accordance with the Commission's rules, this letter is being filed electronically with the Secretary for inclusion in the public record.

Sincerely

Jim Bugel