

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Applications of AT&T Inc. and)	WT Docket No. 11-65
Deutsche Telekom AG)	
)	
For Consent To Assign or Transfer Control)	
of Licenses and Authorizations)	

**COMMUNICATIONS WORKERS OF AMERICA’S REPLY TO
OBJECTION OF SPRINT NEXTEL COPORATION TO DISCLOSURE OF
CONFIDENTIAL AND HIGHLY CONFIDENTIAL INFORMATION**

The Communications Workers of America (“CWA”) hereby submits this Reply to the Objection of Sprint Nextel Corporation to Disclosure of Confidential and Highly Confidential Information.¹ In light of developments that occurred after CWA made its request, CWA now withdraws its request to view this information, but reserves the right to request access in the future.

CWA required access to the requested Confidential and Highly Confidential information from Sprint pursuant to the Protective Orders for the purpose of participating in the AT&T/T-Mobile proceeding before the Commission.² This request was made prior to the announcement

¹ Sprint Nextel, Objection of Sprint Nextel Corporation to Disclosure of Confidential and Highly Confidential Information, WT Docket No. 11-65 (filed Dec. 7, 2011).

² See *Applications of AT&T Inc. and Deutsche Telekom AG for Consent to Assign or Transfer Control of Licenses and Authorizations*, Second Protective Order (Revised), WT Docket No. 11-65, DA 11-1100 (rel. June 22, 2011); *Applications of AT&T Inc. and Deutsche Telekom AG for Consent to Assign or Transfer Control of Licenses and Authorizations*, Protective Order, WT Docket No. 11-65, DA 11-674 (rel. April 14, 2011).

that the merger application filed with the Federal Communications Commission (“Commission”) would be withdrawn, as well as prior to the Commission’s dismissal of the merger application.³

CWA strongly disagrees with Sprint’s argument that the Protective Orders in the AT&T/T-Mobile proceeding would not permit CWA representatives to access Sprint’s information. CWA personnel have been provided with access to confidential documents in prior merger proceedings before the Commission. Further, the Protective Orders include strict procedures that the Commission has found to be sufficient to protect Sprint’s sensitive information.

CWA has passionately represented the interests of its members and other American workers for decades. CWA is the exclusive bargaining agent for approximately 43,000 AT&T Mobility employees. CWA has never shied away from its duty to protect the rights of its members and American workers and the AT&T/T-Mobile merger is no exception. Indeed, Sprint has witnessed first hand CWA’s unrelenting commitment over the years as CWA worked to represent its members who worked at Sprint (before the 2005 spin-off to Embarq) and to protect the rights of Sprint workers seeking union representation.⁴ CWA strongly objects to the

³ See *Applications of AT&T Inc. and Deutsche Telekom AG for Consent to Assign or Transfer Control of Licenses and Authorizations*, Order, WT Docket No. 11-65, DA 11-1955 (rel. Nov. 29, 2011) (granting AT&T and Deutsche Telekom AG’s request to withdraw the applications without prejudice). See also Letter from Patrick J. Grant, Arnold & Porter LLP and Nancy J. Victory, Wiley Rein LLP, to Marlene H. Dortch, Secretary, FCC (Nov. 23, 2011) (withdrawing pending applications).

⁴ See e.g., Communications Workers of America, NLRB Schedules Hearing over Sprint Charges, available at http://www.cwa-union.org/news/entry/nlrb_schedules_hearing_over_sprint_charges2 (last visited Dec. 8, 2011) (discussing multiple examples of Sprint’s past labor practices). See also CWA Comments at 26-27 (discussing Sprint’s labor practices).

baseless suggestion that CWA would disregard the provisions of the Protective Orders and provide information to AT&T management.⁵

Nonetheless, now that the AT&T/T-Mobile application has been dismissed, CWA withdraws its request to access Sprint Nextel's Confidential and Highly Confidential information at this time. However, CWA reserves the right to request access to Sprint's documents in the future.

Respectfully submitted,

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⁵ See Sprint Objection at 5.

CERTIFICATE OF SERVICE

I, Ryan W. King, certify on this 12th of December, a copy of the foregoing Communications Workers of America's Reply to Objection of Sprint Nextel Corporation to Disclosure of Confidential and Highly Confidential Information has been served via first class mail, postage pre-paid and email, to the following.

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