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EX PARTE PRESENTATION

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

Re: Ex Parte Presentation in IB Docket No. 12-343, *Applications of Sprint Nextel Corporation, SoftBank Corp., and Starburst II, Inc. for Consent to Assign or Transfer Control of Licenses and Authorizations*

Dear Ms. Dortch:

DISH Network Corporation (“DISH”) submits this letter to reiterate its request for the Commission to require SoftBank and Sprint (together, the “Applicants”) to submit additional information regarding their plans to use the more than 200 MHz of mobile broadband spectrum at stake in the above-referenced transactions.¹ To date, there is insufficient information in the record for the Commission to conduct a full public interest analysis, as required by the Communications Act.² As the Commission knows, DISH has also requested that the Commission hold the above-captioned proceeding in abeyance in light of DISH’s April 15, 2013 merger proposal to the Board of Directors of Sprint.³ The DISH merger proposal is a real and substantial offer that is being considered by a Special Committee of the Sprint Board of Directors. We believe that DISH’s proposal is better for American consumers, better for Sprint shareholders, and better for U.S. national security than the SoftBank proposal.⁴ But, if the Commission nonetheless continues its review of the above-referenced transactions, this information is necessary and still unavailable in the record.

¹ See Letter from Jeffrey H. Blum, DISH Network Corporation, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 12-343 (Mar. 19, 2013); Letter from Jeffrey H. Blum, DISH Network Corporation, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 12-343 (Apr. 5, 2013); Letter from Jeffrey H. Blum, DISH Network Corporation, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 12-343 (April 14, 2013); Letter from Jeffrey H. Blum, DISH Network Corporation, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 12-343 (April 26, 2013).

² See 47 U.S.C. § 310(d).

³ See DISH Network Corporation, Supplement to Request to Hold Proceeding in Abeyance, IB Docket No. 12-343 (April 17, 2013).

⁴ *Id.* at 2-3.

A full explanation of the Applicants' spectrum utilization plans is even more important given a recent statement made by SoftBank's Chief Executive Officer, Mr. Masayoshi Son.⁵ Apparently responding to DISH's public statements regarding the enhanced broadband and video opportunities arising from a DISH/Sprint merger, Mr. Son called DISH's plans to combine its various satellite and terrestrial assets to provide these new and innovative services a "dream."⁶ This statement is troubling, given that the Applicants have failed to provide information regarding their own spectrum utilization plans, and certainly have provided no plans to expand broadband service in unserved and underserved rural areas.

This statement is moreover inaccurate. DISH has in fact offered concrete plans regarding how it would use the combined DISH/Sprint/Clearwire spectrum assets to create a robust fixed and mobile broadband service that will benefit customers throughout the U.S., including those in unserved and underserved rural areas. Because DISH is uniquely positioned to leverage its existing assets with Sprint's network, a DISH-Sprint merger provides valuable spectrum utilization and public interest benefits. As a result of DISH's existing service installation infrastructure, a combined DISH-Sprint will be able to utilize the 2.5 GHz spectrum in rural areas. DISH's existing installation capabilities can facilitate efficient use of the 2.5 GHz spectrum, by enabling DISH to offer nationwide installation of fixed wireless antennas on top of consumers' homes, thereby delivering cable-quality speeds to unserved and underserved rural areas.

Combining satellite and mobile assets to provide fixed and mobile video, voice and data to customers across all parts of the nation is not a dream, but rather a very real benefit of a DISH-Sprint merger. If the Commission proceeds with evaluation of SoftBank's application, it should call upon SoftBank to also provide concrete information about its plans for enhancing connectivity and service in unserved and underserved rural areas of the U.S.

Respectfully submitted,

/s/ Jeffrey H. Blum

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⁵ See, e.g., SoftBank Corp. Earnings Call Transcript, April 30, 2013, p.14 (Referring to DISH CEO Charlie Ergen's plan to leverage the assets of a combined DISH-Sprint as a "dream of combining satellite and mobile and bring some claiming new exciting service.").

⁶ *Id.*