

June 28, 2013

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

Re: Applications of Sprint and SoftBank, IB Docket No. 12-343

Dear Ms. Dortch,

The review process for consideration of matters pertaining to Softbank acquisition of Sprint and transfer of spectrum licenses and lease-hold rights from Clearwire to form a more competitive international operating company appears near to a decision by the FCC. Maravedis, an ICT industry analyst firm that has closely observed and provided analysis of issues of concern in this determination, is compelled to submit summary observations. We think that our position as an independent analyst acting without sponsorship or allegiance to the parties involved provides candid, worthwhile input. The decisions the FCC takes to allocate, re-purpose, and oversee commercial consolidation of spectrum and marketshare will likely set in place long standing conditions that preference evolution of wireless networks, device proliferation and services for decades to come.

Context of Understandings:

- We think it highly likely that the FCC will approve the acquisition of 78% ownership of Sprint by Softbank Corporation, Japan, and transfer of full ownership of spectrum rights of Clearwire. Thus, this letter's purpose is addressing FCC rule making in the approval or as impacted by the decision.
- The majority of EBS license holders are in favor of the amalgamation of companies and spectrum rights under terms of their agreements with Clearwire and the proposed roll-up.
- Matters of concern to the DOJ has approved and resolved to forward working process among respective groups, including Homeland Security, public safety work groups, pro-competitive interests, and all other timely matters.
- The issues of valuation of Clearwire brought by Crest Financial, DISH Networks and others have been addressed primarily through subsequent market actions of the parties and workings of the stock market.
- The legal concerns brought by DISH Networks are, in our opinion, outside of the scope of the FCC and are further compromised by comport of DISH in pursuit of acquisition of Sprint and Clearwire.
- Sprint's lawsuit against DISH Networks further brings into question the suitability of the FCC to entertain commercial issues in its deliberations.

- The bulk of viable wireless spectrum will be allocated for use by mobile/ICT operators.
- Commercial forces compel consolidation within the industry, a process that we think will continue unabated in the near future.
- Small company, minority, and special groups interests are disadvantaged by hegemony of the device markets that operate in siloes of spectrum as controlled by the major operators. Open market access increasingly depends on operation across allocations of minority-market interest spectrum.

We encourage the FCC to proceed with approval of the subject acquisition of Sprint by Softbank as has been approved by Sprint shareholders and the transfer of licenses and lease arrangements of EBS spectrum.

However, we strongly encourage consideration of open access data roaming and alignment of 2.5GHz-2.6GHz spectrum to international band plan standards set out by ITU. Foremost among considerations is to require liberal BB data roaming and wholesale access through lease/sub-lease of rights through Sprint-Softbank of sub-band spectrum most likely used for international roaming. This may be accomplished with minimal direct management of detailed arrangements, instead allowing transfer-payment type commercial mechanisms to determine pricing under arms-length supervision.

More broadly, '4G' wireless technologies are emerging to allow smarter, more adaptive use of spectrum and integration into layered and more integrated ICT environments. We think it important to provide a balance between unlicensed/licensed-light, licensed, including the subject 2.6GHz extension band spectrum that encourages evolution of multiple RAN chips, and devices. As a matter of the subject action, rulemaking to assure access by the broader field of operators to international roaming within the band, while providing incentives for Sprint-Softbank to innovate make capital commitments, and further efforts for 'World Phone' multiple-mode/spectrum operation in hopes of a more balanced tier of major operators is encouraged.

Sincerely,



Robert W. Syputa
Co-Founder
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