



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, S.W.
WASHINGTON, D.C. 20554

DA 12-1663

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Released: October 17, 2012

COMMISSION OPENS DOCKET FOR PROPOSED TRANSFER OF CONTROL OF METROPCS COMMUNICATIONS, INC. TO DEUTSCHE TELEKOM AG

WT Docket No. 12-301

On October 3, 2012, Deutsche Telekom AG (“Deutsche Telekom”) and MetroPCS Communications, Inc. (“MetroPCS”) announced an agreement under which T-Mobile USA, Inc. (“T-Mobile”), an indirect wholly-owned subsidiary of Deutsche Telekom, and MetroPCS will be combined. In the proposed transaction, Deutsche Telekom will receive 74 percent ownership of the combined company and MetroPCS shareholders will receive \$1.5 billion in cash and 26 percent ownership in the combined company, which will retain the T-Mobile name. Applications seeking Commission consent to the transfer of control of the licenses and authorizations held by MetroPCS and its wholly-owned and controlled subsidiaries and by T-Mobile and its wholly-owned and controlled subsidiaries (collectively, the “Applications”) are expected. The purpose of this public notice is to announce the opening of a docket, WT Docket No. 12-301, and establish the *ex parte* status of discussions related to the proposed transaction. When the Applications have been accepted for filing, we will issue a separate public notice announcing that fact and setting forth a pleading schedule.

Pursuant to section 1.1200(a) of the Commission’s rules,¹ the Commission may adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires. We announce that this proceeding will be governed by permit-but-disclose *ex parte* procedures that are applicable to non-restricted proceedings under section 1.1206 of the Commission’s rules.² Parties making oral *ex parte* presentations are directed to the Commission’s statement reemphasizing the public’s responsibility in permit-but-disclose proceedings and are reminded that memoranda summarizing the presentation must contain the presentation’s substance and not merely list the subjects discussed.³ More than a one- or two-sentence description of the views and arguments presented is generally required.⁴ Other rules pertaining to oral and written presentations are set forth in section 1.1206(b).⁵

Notices of the *ex parte* presentations, which must include a reference to WT Docket No. 12-301, shall be filed electronically in machine-readable format via the Electronic Comment Filing System (“ECFS”). Also, one copy of each *ex parte* notice must be delivered electronically, by e-mail or

¹ *Id.* § 1.1200(a).

² *Id.* § 1.1206.

³ See Commission Emphasizes the Public’s Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁴ See 47 C.F.R. § 1.1206(b)(2).

⁵ *Id.* § 1.1206(b).

facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings), to: (1) the Commission's duplicating contractor, Best Copy and Printing, Inc., at FCC@BCPIWEB.COM or (202) 488-5563 (facsimile); (2) David Hu, Broadband Division, Wireless Telecommunications Bureau ("WTB"), at david.hu@fcc.gov or (202) 418-7247 (facsimile); (3) Kathy Harris, Mobility Division, WTB, at kathy.harris@fcc.gov or (202) 418-7447 (facsimile); (4) Kate Matraves, Spectrum and Competition Policy Division, WTB, at catherine.matraves@fcc.gov or (202) 391-6272 (facsimile); and (5) Jim Bird, Office of General Counsel, at TransactionTeam@fcc.gov or (202) 418-1234 (facsimile).

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