



July 5, 2023

Via ULS

Michele Ellison
General Counsel
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: ULS Application File Nos. 0010206629 and 0010475575

Dear Ms. Ellison:

This letter supplements T-Mobile’s April 26, 2023 meeting and April 28, 2023 *ex parte* letter¹ regarding the Federal Communications Commission’s (“Commission”) authority to act on the above-referenced applications for licenses that T-Mobile won in Auction 108 (the “Applications”) and addresses other recent developments. At the meeting, we explained that the recent lapse of auction authority does not preclude the Commission from granting the licenses, which would allow T-Mobile to provide service to tens of millions of Americans, many of whom live in rural areas and do not have access to reliable connectivity today. As T-Mobile has recently noted, the Brattle Group recently concluded that granting T-Mobile authority to use the 2.5 GHz spectrum would immediately generate approximately \$28 billion in consumer welfare (and possibly billions more) and put an end to regulatory delay that already has cost Americans \$1.3 billion in lost value and 17,000 jobs.²

This letter first responds to a question raised by the Office of General Counsel regarding additional authorities on the source of the FCC’s licensing authority. As I explain below, the plain meaning of the statutory language and longstanding judicial and Commission precedent make clear that sections 307(a) and 309(a) of the Communications Act empower the FCC to grant the Applications—and indeed *require* the FCC to grant the Applications if it finds that

¹ Letter from Kathleen Ham, Senior Vice President, Government Affairs, T-Mobile USA, Inc., to Marlene H. Dortch, Secretary, FCC, ULS File Nos. 0010206629 and 0010475575 (filed Apr. 28, 2023) (“T-Mobile Apr. 28 Letter”).

² Letter from Steve B. Sharkey, Vice President, Government Affairs, Technology and Engineering Policy, T-Mobile USA, Inc., to Marlene H. Dortch, Secretary, FCC, ULS File Nos. 0010206629 and 0010475575, at 2 (filed June 30, 2023).



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doing so is in the public interest. In other words, the auction authority contained under section 309(j) as a means of resolving mutual exclusivity has never been understood as the source of the Commission’s power to grant licenses. As Commissioner Carr recently stated, five former FCC General Counsels, including himself, “agree with that view.”³

I also write to address recent comments by Chairwoman Rosenworcel regarding the Commission’s special temporary authority (“STA”) authority. At a June 21, 2023 hearing of the U.S. House of Representatives Energy and Commerce Committee, Chairwoman Rosenworcel suggested that “[a]ny special temporary authority is subject to [the FCC’s] broader authority [to grant spectrum licenses under section 309(j)].”⁴ Respectfully, that is incorrect. As T-Mobile has explained, even if the Commission were to construe section 309(j) of the Act to prevent it from granting T-Mobile’s Auction 108 application, it could still permit T-Mobile’s temporary use of 2.5 GHz spectrum by issuing STAs because the Commission has separate authority to permit temporary use of spectrum when, as here, it would be in the public interest.

I. Legal Authority to Grant Licenses

Section 307(a) provides that when it serves the public interest, the Commission “shall grant” licenses subject to the Communications Act’s provisions.⁵ “Shall” means “must.”⁶ Section 307(a), therefore, “requires” the FCC “to grant any applicant such a license” if “the ‘public convenience, interest, or necessity will be served thereby.’”⁷ That means, of course, that section 307(a) also “authorizes” the FCC “to grant [these] licenses,”⁸ including licenses for the operation of wireless networks like T-Mobile’s 5G broadband network.

Sections 308 and 309, in turn, set forth the substantive standards and application process that the Commission must apply when exercising its licensing authority. Section 308 requires an application that sets forth citizenship, character, fitness, and technical requirements for holding a

³ Hr’g Tr. at 50, *Hearing on Oversight of the Federal Communications Commission Before the H. Energy and Commerce Comm.* (June 21, 2023) (“June 21 Hr’g Tr.”).

⁴ *Id.* at 27.

⁵ 47 U.S.C. § 307(a). In full, section 307(a) provides:

The Commission, if public convenience, interest, or necessity will be served thereby, subject to the limitations of this chapter, shall grant to any applicant therefor a station license provided for by this chapter.

⁶ *Cook v. FDA*, 733 F.3d 1, 7 (D.C. Cir. 2013).

⁷ *Competitive Enter. Inst. v. FCC*, 970 F.3d 372, 377 (D.C. Cir. 2020).

⁸ *Viasat, Inc. v. FCC*, 47 F.4th 769, 774 (D.C. Cir. 2022).

station license.⁹ Section 309(a) then reiterates that the Commission “shall” determine for “each application filed” whether granting the application would serve the public interest, and if so, then the Commission “shall grant” the application.¹⁰

From the dawn of the Communications Act, courts have recognized that “[t]he [provision] defining the duty of the Commission in issuing radio construction permits is section 307.”¹¹ The D.C. Circuit, for example, has cited both sections 307(a) and 309(a) for the proposition that “[t]he Commission is empowered by the Act to grant or deny an application for a station license.”¹² And the Supreme Court likewise explained early on that “Section 307(a) of the Communications Act directs that ‘the Commission . . . shall grant . . . a station license’” to a qualified applicant.¹³

The FCC, for its part, has also long recognized that sections 307(a) and 309(a) grant it licensing authority. In 1937, for example, the FCC examiner determined that “[an] application ‘may be granted within the purview of Section 307.’”¹⁴ And the next year, the D.C. Circuit observed that the Commission had “held a public hearing to determine whether ‘public interest, convenience, or necessity would be served’ by granting [certain] licenses” “pursuant to sections 307(a) and 309(a).”¹⁵

⁹ 47 U.S.C. § 308.

¹⁰ *Id.* § 309(a). In full, section 309(a) provides:

Subject to the provisions of this section, the Commission shall determine, in the case of each application filed with it to which section 308 of this title applies, whether the public interest, convenience, and necessity will be served by the granting of such application, and, if the Commission, upon examination of such application and upon consideration of such other matters as the Commission may officially notice, shall find that public interest, convenience, and necessity would be served by the granting thereof, it shall grant such application.

¹¹ *Courier Post Pub. Co. v. FCC*, 104 F.2d 213, 214 (D.C. Cir. 1939).

¹² *Yankee Network v. FCC*, 107 F.2d 212, 217–18 & n.23 (D.C. Cir. 1939).

¹³ *FCC v. Sanders Bros. Radio Station*, 309 U.S. 470, 473 (1940) (cleaned up); *see also Ashbacker Radio Corp. v. FCC*, 326 U.S. 327, 329–30 & n.3 (1945); *Nat’l Broad. Co. v. United States*, 319 U.S. 190, 230 (1943) (Murphy, J. dissenting) (“Subject to the limitations defined in the Act, the Commission is required to grant a station license to any applicant ‘if the public interest, convenience or necessity will be served thereby.’ § 307(a).”).

¹⁴ *Courier Post*, 104 F.2d at 217.

¹⁵ *Mackay Radio & Tel. Co. v. FCC*, 97 F.2d 641, 642 (D.C. Cir. 1938).

The Commission’s actions reflected this view when its lottery authority expired in the 1990s. As Commissioner Carr recently observed, the Commission then concluded that “it doesn’t make any sense to read the [provision] having to do with our then-lottery authority already having expired” as “prevent[ing] us from issuing licenses.”¹⁶ And the Commission seems to hold this view to this day. Earlier this year, for example, the Commission “announc[e]d the grant of seven long-form applications and issuance of 29 licenses for Auction 108 . . . pursuant to section 309(a) of the Communications Act.”¹⁷

While section 307(a) has never been amended, Congress has repeatedly amended subsections of section 309 over the nine decades following the Act’s passage to calibrate how the FCC should resolve “mutually exclusive” applications—that is, applications that “could not [both] have been granted as proposed because of the objectionable interference . . . which would have resulted.”¹⁸ Under the original Act, Congress required a “comparative” hearing where “the Commission [would] choose between two applicants.”¹⁹

In the following decades, Congress amended subsections of section 309 to establish new methods of resolving mutually exclusive applications. In 1981, Congress added section 309(i) to the Communications Act in the Omnibus Budget Reconciliation Act of 1981, H.R. 3982 (Pub. L.

¹⁶ June 21 Hr’g Tr. at 50 (Commissioner Carr citing *Ranger Cellular v. FCC*, 2003 WL 25586310 (D.C. Cir. Mar. 27, 2003)). As explained in our April 25 and 28, 2023 *ex parte* letters, when the Commission’s authority to conduct lotteries to select from among mutually exclusive applicants expired, the Commission held that it had the authority to continue to process the pending applications of successful lottery winners and conduct the necessary public interest review. See Letter from Kathleen Ham, Senior Vice President, Government Affairs, T-Mobile USA, Inc., to Marlene H. Dortch, Secretary, FCC, ULS Application File Nos. 0010206629 and 0010475575, at 1 (filed Apr. 25, 2023); T-Mobile Apr. 28 Letter at 2; see also *Implementation of Section 309(j) of The Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses, et al.*, Memorandum Opinion and Order, 14 FCC Rcd 8724, ¶ 55 (1999) (explaining that “[d]espite the termination of our lottery authority to award certain types of commercial broadcast licenses, Section 309(i)(2) still accords the Commission discretion to make the determination of basic qualifications to be a licensee with respect to the lottery winner . . .”). The same analysis applies to section 309(j).

¹⁷ *Wireless Telecommunications Bureau Grants Auction 108 Licenses*, Public Notice, DA 23-155, at 1 (rel. Mar. 1, 2023); see also, e.g., *Promoting Interoperability in the 700 MHz Commercial Spectrum*, Notice of Proposed Rulemaking, 27 FCC Rcd 3521, ¶ 58 n.152 (2012) (explaining that under § 307(a), the “Commission shall grant licenses” in the public interest); June 21 Hr’g Tr. at 50 (Commissioner Carr noting that “if you look at the FCC decision to issue licenses won at auctions, we cite our 309(a) authority which, again, is continuing”).

¹⁸ *Radio Cincinnati v. FCC*, 177 F.2d 92, 94 n.9 (D.C. Cir. 1949).

¹⁹ *Nat’l Broad. Co.*, 319 U.S. at 216–17; see *Ashbacker*, 326 U.S. at 333.

No. 97-35, § 1242), granting the FCC authority to assign licenses to prequalified applicants by lottery. In 1993, Congress added section 309(j) to the Communications Act in the Omnibus Budget Reconciliation Act of 1993, H.R. 2264 (Pub. L. No. 103-66, § 6002), which allowed the FCC to use auctions to resolve mutual exclusivity. And in the Balanced Budget Act of 1997, H.R. 2015 (Pub. L. No. 105-33, § 3002), Congress amended section 309(j) to *require* auctions to resolve mutual exclusivity. But while section 309(j) authorized a method for the FCC to *select* among competing applications, as we have explained in our prior *ex parte* filings, section 309(j) is not and has never been the source of the Commission’s authority to *grant* licenses.

Several additional indicia of statutory meaning reinforce the conclusion that follows from the text of the Communications Act and judicial and Commission precedent.

First, a contrary reading requires the view that section 309(j)(11) implicitly repealed section 307(a). Because section 307(a) undeniably authorizes the Commission to grant spectrum licenses, that authority can only be revoked if a later-enacted provision repeals it. But “repeals by implication” are “not favored”—they occur only when (1) “provisions in the two acts are in irreconcilable conflict,” or (2) “the later act covers the whole subject of the earlier one and is clearly intended as a substitute.”²⁰ In “either case, the intention of the legislature to repeal must be clear and manifest.”²¹ And neither requisite is remotely present here.²²

Second, the statutory headings support the plain-text reading.²³ Section 307 is titled “Licenses,” and subsection 307(a) is titled “Grant.” Section 309, by contrast, is titled “Application for license.” Those headings reflect that section 307(a) concerns the FCC’s authority to grant licenses, while section 309 primarily concerns the application process. And subsection 309(j) reinforces that view—it is titled “Use of competitive bidding,” which plainly is about the method of *selecting* among mutually exclusive applications, not about grant authority.

Third, the Communications Act’s amendment history supports the plain-text reading. The recurrent amendments to section 309—while section 307(a) has remained untouched—reflect that section 307(a) performs the fundamental function of empowering the FCC to grant licenses whereas section 309 primarily concerns the selection process.

²⁰ *Kremer v. Chem. Constr. Corp.*, 456 U.S. 461, 468 (1982).

²¹ *Id.*

²² It “does not matter” whether the implied alteration “is characterized as an amendment or a partial repeal” because “[e]very amendment of a statute effects a partial repeal to the extent that the new statutory command displaces earlier, inconsistent commands,” and the Supreme Court has “repeatedly recognized that implied amendments are no more favored than implied repeals.” *Nat’l Ass’n of Home Builders v. Defs. of Wildlife*, 551 U.S. 644, 664 n.8 (2007).

²³ See Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 221 (2012) (“The title and headings are permissible indicators of meaning.”).

Fourth, and finally, the Communications Act’s purpose supports the plain-text reading. The Act’s “basic purpose” was to grant the FCC authority to regulate wire and radio communications “so as to make available to all the people of the United States a rapid, efficient, nation-wide, and worldwide wire and radio communication service” and empower the FCC to issue broadcasting licenses “as public convenience, interest, and necessity requires.”²⁴ That purpose is advanced by an interpretation that allows the FCC to grant previously selected licenses regardless of whether its prospective selection power continues.²⁵

The public interest and business communities have shown strong support for this reading. Public Knowledge, for example, has recognized that section 307(a) empowers the Commission to grant licenses, and when “the Commission has *already* selected the licensee via auction,” “the role of [section 309(j)] is complete,” and “[a]ll that is left is the actual issuance of the license

²⁴ Communications Act of 1934, ch. 652, 48 Stat. 1064, 73rd Cong., 2d Sess. (1934), codified as amended at 47 U.S.C. § 151 *et seq.* (1937).

²⁵ See also, e.g., Letter from Congresswoman Anna G. Eshoo, U.S. House of Representatives, to the Honorable Jessica Rosenworcel, Chairwoman, FCC, at 2, ULS File Nos. 0010206629 and 0010475575 (filed May 16, 2023) (“[T]he benefits promised in the [Commission’s] 2019 Report and Order have not been realized and the communities meant to benefit continue to be denied access to important technology and services.”); Letter from OJ Semans, Sr., Executive Director of Legislative Affairs, Coalition of Large Tribes, *et al.*, to the Honorable Jessica Rosenworcel, Chairwoman, FCC, at 1, ULS File Nos. 0010206629 and 0010475575 (filed May 23, 2023) (“We are concerned that as these licenses have still not been deployed and put to use, many of our communities are continuing to be left behind; having to live without the critical network coverage—and access to resources—that this valuable spectrum provides.”); The National Congress of American Indians, Resolution #MN-23-003, at 2, ULS File Nos. 0010206629 and 0010475575 (filed June 30, 2023) (“[F]urther delay in the issuance of the 2.5 GHz licenses will continue to hamper the development of tribal spectrum-based opportunities.”); Letter from Chris James, President and CEO, National Center for American Indian Enterprise Development, to the Honorable Jessica Rosenworcel, Chairwoman, FCC, at 2, ULS File Nos. 0010206629 and 0010475575 (filed June 30, 2023) (“However, further delay in the issuance of the non-tribal 2.5 GHz licenses will continue to hamper the development of tribal spectrum by delaying investment in the 2.5 GHz ecosystem on which tribal 2.5 GHz broadband deployment depends.”); Letter from Patrick Gossman, Ph.D., Chair, National EBS Association, to the Honorable Maria Cantwell, Committee on Commerce, Science, and Transportation, U.S. Senate, *et al.*, at 2, ULS File Nos. 0010206629 and 0010475575 (filed June 30, 2023) (“This ongoing delay has prevented expansion of 5G networks to substantial geographic areas across the country, particularly smaller markets and rural areas west of the Mississippi and has prevented closing of operational gaps east of the Mississippi. Licensing the EBS white space via FCC Auction 108 was intended to solve these problems and provide significant benefits to educators – but the lapse in Congressional auction authority and the FCC’s continuing delay in issuing T-Mobile’s Auction licenses continues to harm not just T-Mobile and its customers but the large nationwide EBS community which has partnered with T-Mobile.”) (bold and italics removed).

under Section 307(a).”²⁶ The director of New America’s Open Technology Institute Wireless Future Project likewise has recognized that the Commission “‘has the authority to hand [T-Mobile] the licenses they’ve already purchased’ even though ‘the statutory provisions on auctions don’t apply anymore.’”²⁷ The Competitive Carriers Association (“CCA”) has “urge[d] the FCC to act expeditiously to grant licenses for the remaining 2.5 GHz spectrum from Auction 108” because “[d]elaying use of this spectrum will deprive consumers in areas ‘left behind’ of broadband services.”²⁸ The Telecommunications Industry Association has likewise “urge[d] the [Commission] to confirm its authority to grant license applications stemming from the 2.5 GHz auction” so that the licenses won “can be swiftly put to use to build out networks that support broadband deployment throughout the United States.”²⁹ And those are just a few examples.³⁰

Considering the broad and continued support for T-Mobile gaining access to the spectrum associated with the Applications, T-Mobile reiterates its request to make these proceedings permit-but-disclose, which would better facilitate future development of the record.

II. Legal Authority to Grant STA

If the Commission determines that it lacks authority to grant already-auctioned licenses under sections 307(a) and 309(a) (and it should not), the Commission can and should still permit T-Mobile’s temporary use of 2.5 GHz spectrum by granting T-Mobile’s STA request. As T-Mobile has explained, granting its STA request would benefit tens of millions of Americans in general, and educators, the underserved, our Nation’s veterans, and those that serve them in

²⁶ Letter from Harold Feld, Senior Vice President, Public Knowledge, to Joel Taubenblatt, Chief, Wireless Telecommunications Bureau, FCC, WT Docket No. 18-120, at 7 (filed May 8, 2023).

²⁷ *Rounds Sees Senate Trouble for Bill Restoring FCC Auction Authority Through June 30*, COMM. DAILY (May 18, 2023) (quoting Michael Calabrese).

²⁸ Letter from Tim Donovan, President and CEO, CCA, to Joel Taubenblatt, Chief, Wireless Telecommunications Bureau, FCC, WT Docket No. 18-120, at 1–2 (filed May 25, 2023) (“CCA Letter”).

²⁹ Letter from Melissa Newman, Vice President, Government Affairs, Telecommunications Industry Association, to Marlene H. Dortch, Secretary, FCC, at 1–2, ULS File Nos. 0010206629 and 0010475575 (filed May 19, 2023).

³⁰ Although Chairwoman Rosenworcel mentioned a concern that “issuing these licenses now could violate the Antideficiency Act,” June 21 Hr’g Tr. at 27, T-Mobile has explained that because the funding to take action under sections 307(a) and 309(a) comes from the Commission’s general appropriations, there is no risk that granting Auction 108 licenses would violate the Antideficiency Act, *see* T-Mobile Apr. 28 Letter at 3–4.

particular.³¹ At the June 21 hearing, Chairwoman Rosenworcel suggested that “[a]ny special temporary authority is subject to [the FCC’s] broader authority [to grant spectrum licenses under section 309(j)].”³² She later reiterated her view that the FCC’s STA authority “only exists to the extent that [section 309(j)] underlying [authority] is there.”³³

As T-Mobile has explained, use of STA authority is a permissible way forward. Unlike T-Mobile’s license applications, which at least relate to actions taken by the FCC pursuant to section 309(j), T-Mobile’s STA applications, filed pursuant to section 309(f), are wholly independent. There is no relationship between the Commission’s authority to issue STA and its authority to take action under section 309(j).³⁴ And because appropriated funds may be used to grant STA, taking action under section 309(f) poses no risk under the Antideficiency Act.³⁵

Section 309(f) provides the FCC with independent authority to grant applications for temporary licenses without the standard 30-day waiting periods required for permanent authorizations. Section 309(f) governs certain applications “subject to subsection (b).” The term “application,” in this case, relates to the application for STA itself. That is because “an application subject to subsection (b)” is, in turn, an application under subsection (a), or an application to which section 308 of the Act applies.³⁶ Section 308 requires a written application to grant “station licenses,” which are defined as an “instrument of authorization . . . for the use or operation of apparatus for transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission.”³⁷ Accordingly, but for section 309(f), section 309(b) would require a 30-day public notice period for a grant of STA because an STA is an “instrument of authorization.”³⁸ Therefore, the appropriate interpretation

³¹ See Application for Special Temporary Authority of T-Mobile USA, Inc., ULS File No. 0010475575 (filed Mar. 24, 2023); Supplement, T-Mobile USA, Inc., ULS File No. 0010475575 (filed May 17, 2023); Further Supplement, T-Mobile USA, Inc., Application File No. 0010475575 (filed June 21, 2023).

³² June 21 Hr’g Tr. at 27.

³³ *Id.* at 45.

³⁴ Compare 47 U.S.C. § 309(f) (relating to “Temporary Authorization of Temporary Operations Under Subsection (b)”), with *id.* § 309(j) (relating to “Use of Competitive Bidding”).

³⁵ See *id.* § 309(j)(8)(B).

³⁶ See *id.* § 309(b)(2).

³⁷ *Id.* § 308.

³⁸ *Id.* § 309(f); see also, e.g., *Studio 51 Multi Media Prods., Ltd.*, Notice of Apparent Liability for Forfeiture, 29 FCC Rcd 11798, ¶ 2 (2014) (equating “the STA” with “a valid instrument of authorization”); *Etelix.com USA, LLC*, Notice of Apparent Liability for Forfeiture, DA 22-779, ¶¶ 7-9 (rel. July 20, 2022) (similar).

of section 309(f) is to give the Commission authority to forego the 30-day public notice period before granting STA, when it finds that there are extraordinary circumstances (for a period of not more than 180 days).

The reference to “an application” in section 309(f) does not refer, in this case, to T-Mobile’s Auction 108 application. Indeed, there is no requirement that an applicant for an STA under section 309(f) submit an application for permanent authorization.³⁹ The Act makes this clear in section 309(c)(2)(G), which provides for STA “when no application for regular operation is contemplated” (for 30 days or less) or “pending the filing of an application for such regular operation” (for 60 days or less). In contrast, the wording in section 309(f) contains no such reference to applications for regular operation – its focus is on “extraordinary circumstances.” Of course, T-Mobile recognizes that any action taken under section 309(f) is subject to petitions for reconsideration and that the Commission must give expeditious treatment to such petitions for reconsideration. But as T-Mobile acknowledged in its STA request, STA is secondary and confers no permanent rights.

As with sections 307(a) and 309(a), the public interest and business communities have expressed strong support for T-Mobile’s reading of the FCC’s STA authority. Noting that “[b]roadband equity has been one of [its] major programmatic and policy objectives” and that “the COVID-19 pandemic has made the need for broadband connectivity even more acute for the Latino community,” the Hispanic Federation urged the Commission to “allow T-Mobile to provide service under Special Temporary Authority to these communities.”⁴⁰ The Schools, Health & Libraries Broadband Coalition observed that “[i]ssuing these licenses (directly or through an STA)” would increase fixed wireless access, “a critical way that Americans can access the internet, particularly through anchor institutions like community centers, schools, and libraries.”⁴¹ CCA observed that it, Public Knowledge, and the Wireless Research Center all “agree that the FCC has the authority to (and should) allow the temporary use of the 2.5 GHz band through STA.”⁴² And Members of Congress have voiced their support for an STA grant as well—they asserted that “such a decision would not only align with the FCC’s core mission of

³⁹ *See id.*

⁴⁰ Letter from Frankie Miranda, President and CEO, Hispanic Federation, to the Honorable Jessica Rosenworcel, Chairwoman, FCC, at 1–2, ULS File Nos. 0010206629 and 0010475575 (filed June 24, 2023).

⁴¹ Letter from John Windhausen, Jr., Schools, Health & Libraries Broadband Coalition, to the Honorable Jessica Rosenworcel, Chairwoman, FCC, at 1, ULS File Nos. 0010206629 and 0010475575 (filed June 23, 2023).

⁴² CCA Letter at 3.

promoting competition and innovation but also demonstrate a commitment to enhancing connectivity for all Americans.”⁴³

* * *

T-Mobile hopes that this letter resolves the Commission’s concerns about its legal authority to process T-Mobile’s 2.5 GHz applications under sections 307(a) and 309(a) of the Communications Act, and to grant T-Mobile’s STA request under section 309(f). If the Office of General Counsel has additional questions about the legal analysis provided in this letter, T-Mobile respectfully requests a follow-up meeting to address any remaining concerns.

Respectfully submitted,

/s/ Kathleen O’Brien Ham

Kathleen O’Brien Ham
Senior Vice President, Government Affairs

cc: Hon. Jessica Rosenworcel
Hon. Brendan Carr
Hon. Geoffrey Starks
Hon. Nathan Simington
Joel Taubenblatt
Jonathan Campbell
Greg Watson
Shiva Goel
Erin Boone
Chin Yoo
Karen Onyeije
Jacob Lewis

⁴³ Letter from Congressman Darren Soto, U.S. House of Representatives, *et al.*, to the Honorable Jessica Rosenworcel, Chairwoman, FCC, at 1–2, ULS File Nos. 0010206629 and 0010475575 (filed June 16, 2023).

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing letter filed on ULS (File Nos. 0010475575 and 0010206629) was served upon the following persons via email on July 5, 2023.

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