

Re: ELS File Nos. 1072-EX-CN-2019, et seq.

Dear Ms. Dortch:

The undersigned 600MHz licensees hereby provide this informal objection to the referenced request for Experimental Authorization. The undersigned licensees hold permanent licenses for certain of the 600MHz spectrum in Las Vegas, NV for which T-Mobile License, LLC (“T-Mo”) was granted experimental authority in the referenced file number.

The undersigned were pleased to see that T-Mo appears to be desirous of learning more about efficient operation over 600MHz spectrum using all 70MHz of spectrum. If the authority which T-Mobile requested were modified, even on a post-grant basis, to be appropriately scaled, the undersigned would be prepared to support it. The core changes that are necessary in order to cause the request to be truly in the public interest are as set forth below.

PROPOSED GOAL OF THE APPLICATION: As the request now stands, it includes nothing more than a very superficial statement that T-Mo seeks “a better understanding” of possible service offerings over 600 MHz spectrum. The Commission’s rules governing experimental applications require far more. See 47 C.F.R. Section 5.63 calling for a “narrative statement describing in detail the progress of research and experimentation proposed, the specific objectives sought to be accomplished and how the program of experimentation has a reasonable [basis for] of contribution to the development ... of the radio art.” Only if such additional information is made available could the Commission reasonably provide the relief requested, and can the undersigned knowingly support the proposal. Among other things, T-Mo should explain how and why other already-granted authority is not sufficient to satisfy T-Mo’s goals.

SCOPE OF PROPOSED OPERATIONS: It is unclear why a single test market such as Los Angeles is not sufficient. The Applicant should explain why the test needs to be expanded to most of the West Coast. It is also unclear why the duration of the test needs to last more than a few months. Other licensees have conducted experimental tests before and are usually able to obtain adequate data within 1-2 months. Nothing in the request explains why 2 years is needed for this test. If, as the experiment is conducted, additional time or market scope seems to be appropriate, it could be later requested.

NO COMMERCIAL OPERATIONS: in Section D. of the request, T-Mo states that “T-Mo will enable approximately 10 retail or experimental handsets per site”. Nowhere in its supporting narrative does T-Mo explain how many sites there will be; how many total handsets are being requested; or whether commercial operation is envisioned. The easiest way to cure these failings would be for T-Mo to provide appropriate specificity on each of these matters and commit to no commercial operation.

PUBLIC INTEREST MATTERS: T-Mo states that the public interest would be served by grant of the instant application because it would assist T-Mo in “further develop[ing] its plans for its 5G network...” and would allow T-Mo to “put otherwise fallow spectrum to productive use”. Whereas all of that may be true, it does not conform to the showings required by the Commission’s rules. Among the issues that should be made clear is that the results of T-Mo’s

experimental efforts should be shared with the undersigned so that they can benefit from the results of the test. See 47 C.F.R. Section 5.73.

Lastly, the undersigned appreciate T-Mo's express recognition that no experimental authority can ever extend equal or superior rights to an experimental licensee than to permanent licensees such as the undersigned.

If, as the undersigned genuinely hope will transpire, any authority requested by T-Mo can be modified to include the changes identified herein, the undersigned are prepared to support grant of the instant application for experimental authority. Without such changes, the authority granted must be modified or rescinded.

The undersigned are cognizant that the T-Mo request has been granted. That in no way limits the Commission's ability to modify that authority. To the extent necessary, these informal comments should be viewed as a petition for reconsideration of the Commission's action to date. Notably, the undersigned were never provided with proper notice of the T-Mo request. It never appeared on public notice and T-Mo elected not to extend to the undersigned the courtesy of providing a copy of its request. As a result, the undersigned cannot legitimately be held to be dilatory in the timing of this submission.

Respectfully Submitted,

BLUEWATER WIRELESS II, L.P.
TSTAR 600, LLC

By: _____/s/_____

Thomas Gutierrez
Lukas, LaFuria, Gutierrez & Sachs, LLP
8300 Greensboro Drive, Suite 1200
Tysons, VA 22102
Counsel for Bluewater Wireless II, L.P. and TStar 600, LLC

cc: Russell Fox, Esquire