



March 15, 2021

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: *Application for Consent to Transfer Control of International Section 214 Authorization*, File No. ITC-T/C-20200930-00173

Dear Ms. Dortch:

The recent filing by NTCH raises no concerns relevant to this proceeding and instead demonstrates why the transaction will benefit consumers.¹

The Commission and the D.C. Circuit have previously denied the roaming claims NTCH raises here, which are irrelevant in any event. NTCH repeats unsuccessful roaming arguments it has long made – indeed, the Commission has examined and rejected these concerns at least twice, and on appeal the D.C. Circuit rejected them too.² As NTCH itself admits, “complaints lodged by NTCH and others over the years were cursorily denied or dismissed by the Commission and the courts.” In any event, roaming rates are not at issue in this proceeding.

NTCH shows why the transaction is in the public interest and should be granted. NTCH seems to object to the fact that TracFone over the years has made attractive prepaid offers to value-conscious customers across the country. A combined TracFone and Verizon will do even better, and value-conscious consumers will benefit from the new and better choices that this combination will enable. Contrary to NTCH’s suggestion, TracFone’s enhanced ability to make attractive prepaid offers to value consumers post-transaction is a reason to *grant*, not deny, the Application.

¹ See Letter from Donald Evans, NTCH Inc., to Marlene H. Dortch, FCC (Mar. 10, 2021) (“NTCH Letter”).

² See *NTCH, Inc. v. Cellco P’ship*, 31 FCC Rcd 7165 (EB 2016) (denying NTCH roaming complaint against Verizon), *review dismissed by NTCH, Inc. v. FCC*, 877 F.3d 408 (D.C. Cir. 2017) (dismissing NTCH petition for review for lack of jurisdiction); *Flat Wireless, LLC v. Cellco P’ship*, 33 FCC Rcd 7972 (2018) (denying Flat Wireless roaming complaint against Verizon), *review denied by, review dismissed by Flat Wireless, LLC v. FCC*, 944 F.3d 927 (D.C. Cir., Dec. 10, 2019) (denying Flat Wireless petition for review, and dismissing separate NTCH petition for review as not properly before the court).

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Pursuant to Section 1.106 of the Commission's rules, a copy of this letter his being submitted in the record of this proceeding. Please contact the undersigned with any questions.

Respectfully submitted,

/s/ Alejandro Cantú Jiménez

Alejandro Cantú Jiménez
General Counsel
América Móvil, S.A.B. de C.V.
Lago Zurich 245
Plaza Carso/Edificio Telcel, Piso 16
Colonia Ampliación Granada, Miguel Hidalgo
México, D.F. 11529
+ 52.55.2581.3700 (tel.)
acantu@americamovil.com

/s/ William H. Johnson

William H. Johnson
Verizon Communications Inc.
1300 I Street, NW, Suite 500E
Washington, DC 20005
202-515-2492 (tel.)
will.h.johnson@verizon.com

Richard B. Salzman
Executive Vice President
and General Counsel
TracFone Wireless, Inc.
9700 NW 112th Ave
Miami, FL 33178-1353
305-715-6500 (tel.)
RSalzman@tracfone.com