

June 28, 2011

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

Re: WT 11-65, Applications of AT&T Inc. and Deutsche Telekom AG For Consent To Assign or Transfer Control of Licenses and Authorizations

Dear Chairman Genachowski:

The undersigned write to ask that the Commission expeditiously convene a series of field hearings around the country to hear from the people who could be most affected by the merger of AT&T and T-Mobile. If approved, the merger would have serious repercussions around the country. As the undersigned have all argued, were just two wireless carriers to control nearly 80% of the market, prices would rise, jobs would be lost, and innovation would suffer. The Commission should not consider this merger without seeking direct input from those most impacted.

Holding hearings would be consistent with the Commission's recent actions to increase public participation in its proceedings. In fact, the Commission has previously held field hearings about proposed mergers and other topics that greatly impact consumers. Furthermore, the Commission has recently held more than 85 public forums, where members of the public and other stakeholders can make their views known, in person, to Commission staff as well as Commissioners.

These forums have covered numerous topics, from the "Development of a Consolidated Licensing System"<sup>1</sup> (where the Commission "encourage[d] significant public input") to "Universal Service Fund/Intercarrier Compensation Reform"<sup>2</sup> (where, in a joint blog post, all five Commissioners stated that they "look[ed] forward to robust discussions with a diverse group of stakeholders"). The FCC also convened a hearing in Chicago to allow the public to weigh in on the Comcast/NBC merger.<sup>3</sup> It is heartening that the Commission's commitment to public participation

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<sup>1</sup> Workshop on Development of Consolidated Licensing System, May 6, 2010, <http://reboot.fcc.gov/reform/systems/cls/workshop-on-development-of-consolidated-licensing-system>.

<sup>2</sup> Julius Genachowski, Michael Copps, Robert McDowell, Mignon Clyburn, and Meredith Baker, Making Universal Service and Intercarrier Compensation Reform Happen, March 15, 2011, <http://reboot.fcc.gov/blog?entryId=1335527>; FCC Announces May 18 Field Workshop In Omaha, Nebraska On Universal Service Fund/Intercarrier Compensation Reform, April 27, 2011, [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2011/db0427/DA-11-751A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0427/DA-11-751A1.pdf).

<sup>3</sup> As detailed in a letter from Free Press and other groups requesting the Comcast/NBC hearing, the Commission regularly holds public hearings on important mergers. See letter from Free Press et. al, [http://www.freepress.net/files/FCC\\_hearing\\_request\\_letter\\_April\\_2010.pdf](http://www.freepress.net/files/FCC_hearing_request_letter_April_2010.pdf).

extends from technical matters about FCC licensing procedures all the way to mergers that raise significant competitive and public policy concern.

Further, as you stated to the Subcommittee on Communications and Technology, the FCC is “focused on harnessing the power of communications technology to improve both communications and interaction between the agency and the public.”<sup>4</sup> Your testimony makes clear that the FCC has become a leader in providing online tools that allow the agency to communicate to the public and the public to communicate to the agency. But as the Commission realizes, online participation is not enough—particularly when millions of Americans do not have adequate broadband access. Therefore, public hearings will provide an opportunity for all stakeholders to provide their input directly to the Commission.

As a matter of great public concern, the AT&T/T-Mobile merger proposal deserves the Commission’s highest level of scrutiny and consideration. Thus, the undersigned urge you to continue your commitment to engaging the public by holding, before September, a series of public hearings around the country to discuss the implications of the merger. These hearings, and the direct input from the public they will provide, will help the Commission and each Commissioner come to a clearer understanding of the issues at stake.

Respectfully submitted,

PUBLIC KNOWLEDGE  
CONSUMERS UNION  
FREE PRESS  
FUTURE OF MUSIC COALITION  
MEDIA ACCESS PROJECT  
NATIONAL HISPANIC MEDIA COALITION  
OPEN TECHNOLOGY INITIATIVE,  
NEW AMERICA FOUNDATION

By:  
/s John Bergmayer  
*Senior Staff Attorney*  
Public Knowledge

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<sup>4</sup> Statement of Chairman Julius Genachowski before the Subcommittee on Communications and Technology, May 13, 2011, [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2011/db0513/DOC-306572A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0513/DOC-306572A1.pdf).