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The Hill

May 24, 2012 Thursday

Obama: Agencies need to go mobile**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 13**LENGTH:** 518 words

President Obama on Wednesday issued an executive order requiring government agencies to make services available via mobile phones. Under the new order, each federal agency will be required to make two "key government services" available on mobile devices within the next 12 months. The administration is ramping up efforts to make large amounts of government data more accessible to the public to increase transparency.

"Americans deserve a government that works for them anytime, anywhere and on any device," Obama said in a statement announcing the order. "By making important services accessible from your phone and sharing government data with entrepreneurs, we are giving hardworking families and businesses tools that will help them succeed." Obama's White House has long been a proponent of putting government data online. The president picked Vivek Kundra to serve as the nation's first chief technology officer after he gained recognition for spearheading the "Apps for Democracy" project that encouraged people to write applications for mobile phones incorporating government data. Steven VanRoekel, the chief information officer for the United States, will be in charge of implementing the new directive. "We're living in an increasingly mobile world and it is critical that the federal government keep up with the way the American people do business," Obama said. The president also announced the start of a new program that will bring outside innovators into government for "tours of duty" as Presidential Innovation Fellows. U.S. Chief Technology Officer Todd Park will oversee the program, which will begin with the aim of making consumer-friendly government information about health, education, energy, safety and personal finance more accessible to all Americans. The announcements are part of a larger digital strategy being implemented by the administration, based on a new report titled "Digital Government: Building a 21st Century Platform to Better Serve the American People." The three main administration goals put forward in the report are to "enable the American people and an increasingly mobile workforce to access high-quality digital government information and services anywhere, anytime, on any device"; to "seize the opportunity to procure and manage devices, applications, and data in smart, secure and affordable ways"; and to "[unlock] the power of government data to spur innovation across our nation and improve the quality of services for the American people." VanRoekel said the strategy is meant to make open data the "new default" for government and is eventually meant to have data reside on a "shared platform." "We're rethinking ... the way we build solutions," VanRoekel said, "so they're not only reusable

Obama: Agencies need to go mobile The Hill May 24, 2012 Thursday

within government agencies ... but almost as importantly, so the private sector can access these features." Other facets of the new digital strategy are meant to avoid duplication of efforts across agencies, and to cut costs and avoid waste, fraud and abuse, he said. "We're here to innovate ... but we're here also to do it in a way that will save money," he said.

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The Hill

May 23, 2012 Wednesday

Google, Motorola buy done**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 18**LENGTH:** 214 words

Google completed its long-awaited acquisition of phone maker Motorola Mobility on Wednesday. "I'm excited to announce today that our Motorola Mobility deal has closed," Google CEO Larry Page wrote in a blog post. U.S. regulators approved the deal several months ago, but the two companies had been waiting on the go-ahead from the Chinese government. Motorola, long a pioneer in mobile phone technology, was an early adopter of Google's Android mobile operating system and has manufactured some of the highest-profile and most feature-rich Android phones available. "Motorola is a great American tech company that has driven the mobile revolution, with a track record of over 80 years of innovation," Page said, "including the creation of the first cellphone." "[A]s a company who made a big, early bet on Android, Motorola has become an incredibly valuable partner to Google," he added. Page announced that Google executive Dennis Woodside would take over as CEO from Sanjay Jha, who shepherded the company through intense regulatory scrutiny from multiple countries during the acquisition process. Page expressed his trust in Woodside, whom he said he has known for over a decade. "[H]e's been phenomenal at building teams and delivering on some of Google's biggest bets," Page said.

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The Hill

May 17, 2012 Thursday

House Republicans question \$126M stimulus grant for W.Va. broadband**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 12**LENGTH:** 330 words

Republicans on the House Energy and Commerce Communications subcommittee want answers on how West Virginia was allowed to spend millions of dollars on high-end network equipment for libraries the GOP says had little need for it. The matter was raised during an oversight hearing for the Broadband Technology Opportunities Program (BTOP) created by the 2009 stimulus bill. The stimulus included \$4.7 billion in funding to the National Telecommunications and Information Administration (NTIA) for grants to be distributed to communities that were unserved or underserved by broadband Internet service.

The grants were to be used to build out physical infrastructure and for network equipment at so-called "anchor institutions" like schools, libraries, hospitals and university networks. Subcommittee Chairman Greg Walden (R-Ore.) questioned NTIA Administrator Lawrence Strickling on the issue. Walden pointed to an article from The Charleston Gazette about the state's use of its BTOP grant. He called it "pretty disturbing" that the state used \$24 million of a \$126 million grant to buy high-end Cisco routers, designed for networks with upwards of 500 computers, at libraries with only two or three computers installed. "What is NTIA doing about it?" he asked. "Don't believe everything you read in the newspaper," Strickling responded. Each router cost \$12,000, he said, and some are going to institutions with heavy needs, such as hospitals and universities. Determining capacity for every institution needing a router would cost more than purchasing "scalable, expandable gear," he said. "Many of those anchor institutions may benefit" from the routers, Strickling said. "The state made an economical decision that is well-justified by the facts," he said. Rep. John Shimkus (R-Ill.) later told him, "I would like to see the bids." He said he wants to analyze whether the bidding was cavalier. "As much as you try, you just can't defend what is going on in West Virginia," he said.

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House Republicans question \$126M stimulus grant for W.Va. broadband The Hill May
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The Hill

May 16, 2012 Wednesday

Groups say White House should speed spectrum release**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 14**LENGTH:** 351 words

A number of technology and telecommunications industry groups want President Obama to speed up the government's release of valuable radio spectrum. The Information Technology Industry Council, along with CTIA and the High Tech Spectrum Coalition, sent a letter to the White House on Monday, asking the administration to "accelerate the transition of government-owned spectrum to the private sector." Last year the administration launched the National Wireless Initiative (NWI), which was meant to bring wireless broadband to 98 percent of households. But NWI goals can only be reached by clearing bands of government-held spectrum, the groups said.

"If policymakers do not act in the short term to clear additional spectrum for licensed mobile broadband use, our country's networks will become increasingly strained, and the U.S. hold on mobile broadband leadership will start to wane," they wrote. The National Telecommunications and Information Administration (NTIA) has already announced plans to clear spectrum that is currently used by the government so that it can be auctioned off. But the groups say those plans are too far off and use too little spectrum. The groups also say that adding 300 MHz of new spectrum for mobile broadband by 2016 would help create between 300,000 and 770,000 new jobs. "At a time when Americans are concerned about jobs, the economy and U.S. competitiveness, the act of identifying and clearing more spectrum for licensed mobile broadband use offers a rare elixir for all three," they said. A spokesman for NTIA, the agency responsible for government use of spectrum, said they "continue to make progress in implementing President Obama's ambitious spectrum agenda, including the goal of nearly doubling the amount of commercial spectrum this decade." "We welcome the recent announcements from stakeholders in the wireless industry that signal a shared understanding of the challenges and opportunities ahead when it comes to putting our limited spectrum resources to their most productive use for the benefit of American businesses, consumers and the economy," he said.

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The Hill

May 16, 2012 Wednesday

Genachowski to advocate using wireless devices as medical tools**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 14**LENGTH:** 232 words

Federal Communications Commission Chairman Julius Genachowski will advocate releasing spectrum for wireless medical devices that can operate as "mobile body area networks," the FCC announced Tuesday. Genachowski plans to speak at a Thursday event at the George Washington University Hospital in Washington, D.C., on the benefits of the devices. A mobile body area network (MBAN) is a wireless system that uses low-cost wearable sensors that allow doctors to remotely monitor patient vital signs. The FCC has an agreement with the Food and Drug Administration to help streamline approval processes for medical devices that use wireless spectrum. The two agencies are supposed to collaborate on approving each device, with the FCC handling the technical side and the FDA scrutinizing the medical aspects of the device. The FDA has clashed with makers of mobile apps that the agency says are meant to diagnose or offer treatments for diseases -- an area that falls under the agency's authority, it says. Some software developers have chafed under the traditional requirements for approving medical devices, such as clinical trials. Genachowski will be joined by GE Healthcare chief technology officer Michael Harsh, Philips Healthcare chief marketing officer Anthony Jones, GW Hospital director of cardiology Richard Katz and GW Hospital CEO Barry Wolfman. The event will start at 10:30 a.m. on May 17.

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The Hill

May 15, 2012 Tuesday

After swearing in new members, FCC back at full strength**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 18**LENGTH:** 163 words

The two newest members of the Federal Communications Commission (FCC) took office on Monday. FCC Chairman Julius Genachowski swore in Republican Ajit Pai and Democrat Jessica Rosenworcel as commissioners, returning the five-member board to full strength. The full Senate confirmed Pai and Rosenworcel one week ago, following a lengthy confirmation process that was held up by Sen. Chuck Grassley (R-Iowa). He placed holds on both nominations to pressure the FCC into delivering documents pertaining to the decision to grant the embattled wireless company LightSquared a conditional waiver to operate a hybrid ground- satellite network. FCC later withdrew the waiver for LightSquared due to concerns that its technology would interfere with devices that use the Global Positioning System (GPS). Pai and Rosenworcel are expected to make their first public appearances as commissioners on Wednesday before the Senate Commerce Committee, which will hold an oversight hearing on the FCC.

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The Hill

May 15, 2012 Tuesday

FTC makes shift in approach to privacy**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 18**LENGTH:** 425 words

The Federal Trade Commission (FTC) has made a major shift in its efforts to protect privacy online by focusing on any information that can "reasonably be connected to a device or a person," according to an agency official. Maneesha Mithal, the associate director of the FTC's privacy division, said the agency's latest report on privacy moves away from previous rules and regulations that were focused on securing personally identifiable information such as names, Social Security numbers and addresses. Now, Mithal said, the FTC is taking a broader view of what information is deserving of regulatory protection because the old model is "somewhat obsolete." She conceded the new standard is "unpredictable" and "doesn't provide guidance," but said the FTC's decisions and enforcement actions will serve as a kind of case law to help companies understand what information to protect and how.

Mithal said she isn't concerned that a hazy definition of protected information could lead to a chilling effect on innovation and said that industry should be able to make the right calls -- not the FTC. "As a government agency, we aren't the ones who have our fingers on the pulse of technology," Mithal said during an event sponsored by the Congressional Internet Caucus Advisory Committee. Under Chairman Jon Leibowitz, the FTC quietly carved out a role as the main government agency focused on online privacy protection. In the past year, the FTC has settled charges with Google, Facebook and Myspace for violating their own privacy agreements. The agency also settled charges with Twitter in 2010 that the company had inadequate data-protection standards. The FTC and the White House have urged Congress to pass legislation to set mandatory privacy standards for all Web companies. In February, the White House announced its "Privacy Bill of Rights" -- a set of principles about how companies should handle users' personal data. Mithal stressed that the FTC's new privacy report shouldn't be seen as an alternative to the White House proposal, calling the two papers "complementary and consistent." The main difference, she said, is the administration's policy plan is more focused on implementation, while the FTC report provides "a little more guidance" to industry. Mithal also caused a stir when she seemed to indicate the FTC would take action against app developers who don't create privacy policies for their products. Asked whether she thought the FTC had authority to take action in such cases, Mithal said, "Stay tuned." Brendan Sasso contributed.

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FTC makes shift in approach to privacy The Hill May 15, 2012 Tuesday

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The Hill

May 14, 2012 Monday

New FCC commissioners may testify for first time**BYLINE:** Brendan Sasso and **Andrew Feinberg****SECTION:** Pg. 14**LENGTH:** 325 words

The newest members of the Federal Communications Commission could make their public debut this week. The Senate Commerce, Science and Transportation Committee will hold an oversight hearing for the Federal Communications Commission (FCC) on Wednesday. A Democratic committee spokeswoman said commissioners Ajit Pai and Jessica Rosenworcel are expected to testify if they have been sworn in.

Senators might ask the commissioners about a wide range of topics, including broadband access, the FCC's recent rule requiring television stations to post political ad data online and the agency's investigation into Wi-Fi snooping by Google. A potential hot-button issue is whether the FCC will consider revoking Fox's broadcast licenses because of evidence that its parent company, News Corp., illegally hacked phones in the United Kingdom. The law requires that the FCC only grant broadcast licenses to people of "good character." Sen. Dean Heller (R-Nev.) might push for his bill that would make it harder for the FCC to adopt new regulations. The House passed companion legislation in March in a mostly party-line vote. Supporters of the measure argue it would increase transparency and accountability at the FCC, but opponents say it would hinder the agency's ability to protect consumers. The House Judiciary subcommittee on Crime, Terrorism and Homeland Security will hold a Thursday hearing on the Geolocation Privacy and Surveillance (GPS) Act, which is sponsored by Rep. Jason Chaffetz (R-Utah). Sen. Ron Wyden (D-Ore.) has introduced the Senate version of the bill. The measure would require police to have a warrant before obtaining location data from a person's cellphone, laptop or GPS device. The House Energy and Commerce subcommittee on Communications and Technology will hold a hearing Wednesday on the status of the Commerce and Agriculture departments' broadband grant and loan programs, which were authorized as part of the stimulus bill.

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The Hill

April 26, 2012 Thursday

Lawmakers want ad rule explained**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 12**LENGTH:** 414 words

Three GOP lawmakers want the Federal Communications Commission (FCC) to explain the reasoning behind a proposed order that would require broadcasters to put their public inspection files, including information on political advertisements, online for anyone to view.

In a letter to FCC Chairman Julius Genachowski, Reps. Cliff Stearns (R-Fla.), Brian Bilbray (R-Calif.) and Marsha Blackburn (R-Tenn.) said the FCC "has not adequately assessed the costs or burdens associated with this proposal, nor articulated the need."

The order could impose large costs on broadcasters to upload the files, as well as for the FCC in developing the database, according to the lawmakers. The FCC is expected to vote on the proposal on Friday.

The lawmakers also question the need to place the information online in the first place, citing a statement by Republican commissioner Robert McDowell that there is little evidence that public files aren't already available to anyone who wants to see them.

"The commission must explain the need for this proposal before implementing such a costly endeavor," they wrote.

They argued that broadcasters are small businesses that would be harmed by the "burdensome" requirement. They are also worried that revealing the amounts that campaigns pay for ads could be detrimental to competition, and suggest instead that the commission require reporting the aggregate amounts spent by candidates or PACs on ads, not how much it costs for a candidate or PAC to air a particular ad at a given time.

Broadcasters are required by law to maintain files containing certain information on the station's operations, including correspondence from viewers, ownership records and records of ads placed by candidates for public office and political action committees.

Public files are currently made available by broadcasters to anyone who is willing to travel to the physical location of the file and make an appointment to view it. While some parts of the files can be seen on a station's website, there is no other way for anyone to view the political advertising records,

except in person.

Watchdog groups hope the FCC rules will shed light on the big money behind political ad campaigns by making the data more accessible. The 2012 election could see an explosion of spending from outside groups such as super-PACs.

Genachowski has said the proposal is part of the commission's effort to increase transparency and put more information online.

Brendan Sasso contributed to this report.

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The Hill

April 25, 2012 Wednesday

Rockefeller: Consumers forced to pay too much for TV**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 13**LENGTH:** 396 words

Senate Commerce Committee Chairman Jay Rockefeller (D-W.Va.) voiced concerns on Tuesday that despite the growth of new video services such as Netflix and Hulu, consumers are forced to pay too much for television programming and are saddled with channels they didn't want.

"Year-in, year-out consumers face rate increases for pay TV that are rising faster than inflation," said Rockefeller at a hearing on how online video platforms are affecting the price of television. "We are paying for so many channels, though we only watch a few."

Rockefeller said the Internet and new innovations from video providers should combine to create the "perfect playing field" for consumers.

Internet executives at the hearing on the future of television touted the growth of online platforms they said would give consumers more choices outside of traditional cable providers.

"Consumers have a wide array of opportunities to stream, rent or buy online video programming," said Paul Misener, Amazon.com vice president for global public policy.

Misener described the Internet as a "pull medium" that would allow customers to choose what content they paid for, unlike cable providers, who package channels together.

"With continued growth of broadband Internet access service, we believe consumer demand and choice will cause continued growth of online video services for an even brighter future," he said.

"We want to give customers the choice to watch what they want," Misener added.

But he also warned that policymakers should ensure that the Internet remained a "nondiscriminatory, open platform" to protect consumer choice.

"The open Internet encourages innovation and allows consumers to decide whether a particular product or service succeeds or fails," he said.

Misener said online video providers were heartened that the Federal

Rockefeller: Consumers forced to pay too much for TV The Hill April 25, 2012
Wednesday

Communications Commission (FCC) has pledged to monitor the Internet for anticompetitive or otherwise harmful effects. But he said lawmakers also needed to "remain vigilant on ... Internet openness."

Misener singled out data caps imposed by many consumer Internet providers as requiring such vigilance.

A number of consumer advocacy groups have also expressed concern over the caps, fearing they could limit consumer access to streaming video services, and submitted letters to Congress and the FCC urging inquiries into the practice of imposing and maintaining data caps.

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The Hill

April 18, 2012 Wednesday

FTC official: Social site sharing "can't be forced"**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 12**LENGTH:** 337 words

Recent enforcement actions against Facebook and Google show the Federal Trade Commission (FTC) is on track to safeguard consumer privacy in the era of social networking, an agency official said Tuesday.

While FTC commissioner Julie Brill acknowledged the networking sites are changing how people get information and interact, she said it's important to remember that participation "can't be forced."

It's a "basic principle of the playroom," Brill said at a Broadband Breakfast Club event.

Brill pointed to a "trifecta" of enforcement actions the FTC has taken against Facebook, Google and Twitter as evidence the agency is moving aggressively to protect privacy. In the cases of Facebook and Google, the actions resulted in consent decrees that she said will be in place for two decades to ensure the companies only share and delete information with users' consent.

The FTC penalized Facebook for changing its terms of service to make public user information that had previously been private. Google's problems arose from the launch of the Buzz social network, a service that was scrapped after it created confusion for users about what information was shared and how one opted out.

In both cases, the companies provided platforms "for those who choose [to share] " but they cannot make that choice for the users," she said. "[T]aking is not sharing."

The incidents made clear the need for the FTC to update its approach, she said, to take into account the "vast changes" and "myriad ways consumers' information is collected and used."

But FTC action needs to be complemented by Congress enacting "baseline legislation" to create an environment of "certainty and clear rules of the road" to allow the industry to "act decisively," she said.

In Brill's ideal environment, the process will be "intuitively designed" to not be a fixed list of issues. And because companies will build features in for "privacy by design," such that it should not be an afterthought, she said, "we won't know what will be happening 10 years from now."

FTC official: Social site sharing "can't be forced" The Hill April 18, 2012
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The Hill

April 17, 2012 Tuesday

Broadcasters association chief urges vigilance in new media environment

BYLINE: By **Andrew Feinberg**

SECTION: Pg. 22

LENGTH: 411 words

Broadcasters need to be vigilant and not "rest on their laurels" in the competition against wireless companies, a top industry representative said Monday.

Gordon Smith, CEO of the National Association of Broadcasters (NAB), said radio and TV broadcasters are going to have to fight for survival in a rapidly shifting media environment.

He pointed to the defeat of anti-piracy legislation in Congress earlier this year as evidence of how quickly the tide can turn for or against an industry.

Smith said the "straightforward" idea behind the piracy bills - "don't steal our creative content" - was reframed "overnight" by opponents who banded together to stage online protests.

The coordinated demonstration by Google and wiki sites created a "powerful megaphone" to "change forever how battles are won, or lost, inside the Beltway," Smith said.

The NAB CEO paid a compliment to the tech companies, saying they've learned how to wield their clout as effectively as broadcasters.

"They used their medium just as we used ours," Smith said, noting they managed to reframe the key issue in the piracy battle from "thou shalt not steal" to "do not censor the Internet."

"They changed the debate," Smith said.

Smith touted recent wins for the broadcasting industry during the speech in Las Vegas and said the association has experienced a revival under his leadership.

"Ladies and gentlemen, NAB is back," he said. "[W]e are keeping our eyes on the future."

Smith touted recent NAB victories in Congress, including the defeat of the Performance Rights Act and NAB's successful effort to allow television stations to participate voluntarily in FCC spectrum auctions. But while NAB's wins have

Broadcasters association chief urges vigilance in new media environment The Hill
April 17, 2012 Tuesday

"elevated the stature" of the group, the next issue or the next fight can reverse everything, he warned.

In order to survive, Smith urged broadcasters to "fight for our future" against competitors that are "ruthless" and "well-financed."

He warned that wireless companies are intent on replicating what broadcasters do by gobbling up spectrum for their own mobile TV networks.

And even though many mobile phones can receive broadcast radio, Smith said "broadband can never replicate the lifeline role of the local broadcaster," which Smith noted is "always on, always there when you need them - especially in an emergency."

Smith said broadcasters need to play defense against wireless competitors by constantly innovating.

"They want us out of the game," Smith said. "We can't let our guard down."

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The Hill

March 28, 2012 Wednesday

T-Mobile attacks Verizon claims of needing spectrum**BYLINE:** By **Andrew Feinberg****SECTION:** Pg. 12**LENGTH:** 281 words

Verizon's acquisition of radio spectrum owned by a group of cable companies would not serve the public interest, T-Mobile said Monday in comments filed with the Federal Communications Commission (FCC). In particular, T-Mobile took issue with Verizon's claim that it desperately needs to purchase more spectrum to serve its customers, calling its analysis of its own spectrum usage self-serving and inaccurate. The public interest would be served "substantially greater if virtually any carrier other than spectrum-rich Verizon acquired the frequencies at issue," T-Mobile said. Verizon is seeking FCC approval of an agreement with a consortium of cable companies that purchased wireless spectrum but never deployed a service.

The agreement would let Verizon use the cable companies' spectrum in exchange for selling their video services to its wireless customers. A Verizon spokesman defended the spectrum deal, saying, "we've got charts that lay out where we are with spectrum [and] what we're up against. ... We've been very specific about what we're going to use this for and how we're going to use it." T-Mobile said Verizon's claim that it uses its existing spectrum more efficiently "collapses upon closer examination." Not only does Verizon oversimplify the analysis by presenting a nationwide data set when spectrum is actually analyzed market by market, T-Mobile said, it also makes inaccurate assumptions about user demand and spectrum efficiency, making Verizon's efficiency metric "invalid in two critical respects." T-Mobile explained that its network serves more data-intensive smartphone users compared with Verizon's user base, which has more customers but fewer smartphones.

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