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## Capital Alpha Telecom Tuesday: State of Play for DISH

### Topics of this Telecom Tuesday memo:

- DISH -- Next FCC Milestone is June 1
- Sprint -- 800 MHz Revamp on Thursday FCC Agenda
- Link to download the May 2012 Capital Alpha Telecom Scorecard
- Links to download recent memos

### DISH -- Next FCC Milestone is June 1

We still hold a positive view of DISH's ability to obtain FCC approval for terrestrial use of their 2 GHz satellite spectrum this year. First round comments in the FCC docket ([view here](#))<sup>1</sup> were due last Thursday May 17 and largely reaffirm our stance. Replies to these comments (a.k.a., reply comments) are due June 1. In the interim and until the FCC releases a final order (expected by the end of the year, but as soon as this fall), we will see the more activity on the docket as DISH and other stakeholders meet with commissioners and staff to press their cases (e.g., *ex parte* communication).

We won't review each comment in detail here, but we think the thrust of credible submissions support the FCC's default proposed decision to grant DISH terrestrial authorization. Our view has been that the rulemaking process and the substance of the proposed rule itself as positive for DISH and shows the FCC having a positive baseline view of DISH's plans.

Given their aggressive regulatory advocacy, we were unsurprised to see T-Mobile, MetroPCS, and the Rural Cellular Association proposing approval contingent on punitive action around spectrum give-back and auctioning, "windfall gain," wholesale access, and roaming. We think if the FCC were serious about these types of proposals, they would have appeared in the notice of proposed rulemaking.

### Recent memos on this topic:

[DISH -- Our Positive View of the New FCC Rulemaking](#),<sup>2</sup> March 23

<sup>1</sup> [http://apps.fcc.gov/ecfs/comment\\_search/execute?proceeding=12-70](http://apps.fcc.gov/ecfs/comment_search/execute?proceeding=12-70)

<sup>2</sup> <http://www.capalphadc.com/wp-content/uploads/2012/03/2012-03-23-dish.pdf>

### Ticker(s):

T, VZ, S, PCS, DTE, LEAP,  
USM CLWR, VOD, CBB, SBAC,  
AMT, CCI, ALU, QCOM, ERIC,  
ISAT, IRDM, GSAT, DISH,  
DTV, CMCSA, CVC, TWC

[DISH: FCC Voting on Satellite Spectrum Rulemaking Thursday](#),<sup>3</sup> *Capital Alpha Telecom Outlook*, March 19

[DISH: Silver Lining After Waiver Denial](#),<sup>4</sup> March 5

## **Sprint -- 800 MHz Revamp on Thursday FCC Agenda**

The FCC holds its monthly open meeting this Thursday May 24 at 10:30 AM ET ([webcast here](#))<sup>5</sup>. Most important for investors on the agenda ([download here](#))<sup>6</sup> is a final order eliminating legacy regulations on the 800 MHz band around channel spacing and bandwidth restrictions. The item is the result of a petition by Sprint, who asked for the changes to transition the spectrum used for Nextel iDEN service to LTE as part of the Network Vision upgrade plan. Other items on the agenda include an a final order establishing rules for wireless communication for in-body medical devices and a broad notice of inquiry (NOI) about deployable mobile wireless towers and emergency response.

## **Download the Capital Alpha Telecom Scorecard Today**

The Telecom Scorecard is our monthly "at-a-glance" update on Washington telecom policy issues, released at the beginning of each month. High-impact investment stories we are watch in this edition include Verizon-SpectrumCo/Cox, DISH, and public safety communications. We track these and six other issues in the Capital Alpha Telecom Scorecard.

You can download the [May 2012 edition of the Capital Alpha Telecom Scorecard here](#).<sup>7</sup>

## **Recent Memos**

[DISH: Reiterating Positive View of 2 GHz Terrestrial Use, Capital Alpha Outlook](#),<sup>8</sup> May 21

[Telecom Field Notes: Public Safety Communications on the Hill](#),<sup>9</sup> May 16

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<sup>3</sup> <http://www.capalphadc.com/wp-content/uploads/2012/03/2012-03-19-telecom-outlook.pdf>

<sup>4</sup> <http://www.capalphadc.com/wp-content/uploads/2012/03/2012-03-05-dish.pdf>

<sup>5</sup> <http://www.fcc.gov/live>

<sup>6</sup> [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2012/db0517/DOC-314138A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db0517/DOC-314138A1.pdf)

<sup>7</sup> <http://www.capalphadc.com/wp-content/uploads/2012/05/2012-05-01-telecom-scorecard.pdf>

<sup>8</sup> <http://www.capalphadc.com/wp-content/uploads/2012/05/outlook-5-21-12.pdf>

<sup>9</sup> <http://www.capalphadc.com/wp-content/uploads/2012/05/2012-05-16-field-notes.pdf>

[Capital Alpha Telecom Tuesday: LightSquared, We Hardly Knew Ye](#),<sup>10</sup> May 15

[Satellite/Wireless: Obituary for LightSquared](#),<sup>11</sup> *Capital Alpha Outlook*, May 14

[VZ/SpectrumCo: Beggar Thy Carrier](#),<sup>12</sup> May 10

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<sup>10</sup> <http://www.capalphadc.com/wp-content/uploads/2012/05/2012-05-15-telecom-tuesday.pdf>

<sup>11</sup> <http://www.capalphadc.com/wp-content/uploads/2012/05/outlook-5-14-12.pdf>

<sup>12</sup> <http://www.capalphadc.com/wp-content/uploads/2012/05/2012-05-10-vzspectrumco.pdf>