



601 Pennsylvania Ave., NW Suite 800 Washington, DC 20004 | 202-654-5900

## CONFIDENTIAL TREATMENT REQUESTED

Pursuant to Sections 0.457 and 0.459 of the FCC's rules and FOIA exemption 4,<sup>1</sup> T-Mobile USA, Inc. ("T-Mobile") respectfully request that the Commission withhold from public inspection and give confidential treatment to the site maps, TV Study files, and deployment scheduled submitted pursuant to Section 27.14 of the Commission's rules.

The FCC and the Freedom of Information Act ("FOIA") recognize the need to protect trade secrets and commercial information. Specifically, FOIA Exemption 4 permits parties to withhold from public inspection "trade secrets and commercial or financial information obtained from a person and privileged or confidential."<sup>2</sup> Commercial or financial information is confidential under FOIA if its disclosure will cause substantial harm to the competitive position of the entity from which the information was obtained.<sup>3</sup> In conformance with this statutory mandate, the Commission allows parties seeking to withhold materials from public inspection under FOIA Exemption 4 to file a request for non-disclosure pursuant to the requirements of Section 0.459.<sup>4</sup> If a party who submits materials which it wishes withheld from public inspection shows that the materials contain trade secrets or privileged or confidential commercial, financial or technical data, the materials will not be made routinely available for inspection.<sup>5</sup> Accordingly, pursuant to the Commission's Rules, T-Mobile submits the following explaining the nature of this request for confidential treatment.

The maps, TV Study data, and deployment schedule for which T-Mobile seeks confidential treatment contain commercial and proprietary information regarding specific details of T-Mobile's site planning and wireless network deployment efforts. In particular, the information for which T-Mobile seeks confidential treatment is the location of all transmitter sites in a licensed areas and is a trade secret. This commercially sensitive information customarily would be guarded from competitors and would not be made routinely available for public inspection.<sup>6</sup>

The confidential information contained in the data could result in substantial competitive harm if disclosed. Competitors could use detailed information about T-Mobile's

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<sup>1</sup> 47 C.F.R. §§ 0.457, 0.459, 5 U.S.C. § 552(b)(4).

<sup>2</sup> See 5 U.S.C. § 552(b)(4).

<sup>3</sup> See *Nat'l Parks and Conservation Assoc. v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974); *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879-90 (D.C. Cir. 1992).

<sup>4</sup> See 47 C.F.R. §§ 0.457(d)(2), 0.459.

<sup>5</sup> See 47 C.F.R. § 0.457(d)(2).

<sup>6</sup> See 47 C.F.R. § 0.457(d).



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wireless network and deployment plans to curtail competition.

All information for which protection is sought is treated by T-Mobile as proprietary and confidential. The information is not made available to the public, nor can it be readily obtained or deduced from public sources. To the best of the T-Mobile's knowledge, the information identified as confidential in this request is not available to the public and has not been disclosed to third parties.

Given the current state of the consumer wireless marketplace, T-Mobile believes that three years is a reasonable time period that is sufficient to ensure that release of this information does not cause competitive harm to T-Mobile.

Sincerely,

/s/

Chris Wieczorek, Esq.

Director of Spectrum Policy, Government Affairs  
T-Mobile USA, Inc.

Enclosure: ISIX Compliance and Deployment Statement; map, TV Study data



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April 20, 2018

Ms. Barbara Kreisman  
Chief, Video Division Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**Re: Application of Station Venture Operations, LP for Early Transition from the 600 MHz Spectrum KXAS-TV, Fort Worth, Texas, Facility ID 49330**

Dear Ms. Kreisman,

T-Mobile is pleased to support the efforts of KXAS-TV in transitioning early out of the 600 MHz band. In my capacity as Senior Vice President, Radio Network Engineering and Development, I oversee the buildout and licensing of the 600 MHz wireless spectrum acquired by T-Mobile in Auction 1002 to ensure compliance with our interference protection obligations. T-Mobile has entered into an agreement with Station Venture Operations, LP, licensee of KXAS-TV, Fort Worth, Texas (Facility ID 49330) (“Station”) to clear certain of the 600 MHz spectrum T-Mobile in the Central and North Texas area.

An early transition of KXAS from Channel 41 to its post-Incentive Auction channel will permit T-Mobile to deploy nearly [Confidential information] new cell sites on its 600 MHz D Block licenses. A map of this planned deployment accompanies this submission.

T-Mobile has performed the required Inter-Service Interference (“ISIX”) studies to confirm that these sites will be cleared by the early move of KXAS. KXAS is on channel 41 and is an ISIX Case 3 scenario. The ISIX Case 3 results are depicted in the accompanying map.

Once KXAS has transitioned from its pre-Auction channel, T-Mobile will commence deployment of equipment using the 600 MHz band. This deployment is expected to start [Confidential information].

Should you have any further questions, please feel free to contact me.

Sincerely,

/s/

Mark McDiarmid

Senior Vice President, Radio Network Engineering  
T-Mobile USA, Inc.

Enclosure: Inter-service Interference analysis documentation

# KXAS – D Block Analysis

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Spectrum Engineering

April 2018

# KXAS – D Block

- Under Title 47 -> Chapter 1 -> Subchapter B -> Part 27-> Subpart N -> §27.1319 section (b):
  - (b) *A licensee authorized to operate wireless services in the 600MHz downlink band:*
  - (1) *Is not permitted to deploy wireless base stations within the noise-limited contour or protected contour of a broadcast television station licensed on a co-channel or adjacent channel in the 600MHz downlink band*
- Stations included in TVStudy analysis are as follows:
  - KXAS (41)
  - KPXD (42)
  - KXTX (40)
- ISIX 4:
  - KSTR (48) 5Km Buffer Applied

# [Confidential Information]

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