



By electronic mail

June 28, 2005

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Room TW-B204
Washington, DC 20554

Re: WT Docket 02-353
WT Docket 04-356
RM-10956

Dear Ms. Dortch:

We would like express our concern regarding the unprecedented consolidation taking place among large national wireless carriers. Consolidation has the unfortunate effect of significantly disadvantaging small, minority and women-owned businesses, in turn negatively influencing the choice and pricing of wireless products available to consumers. Nowhere is the small, minority and women-owned business disadvantage likely to be felt more than in the acquisition of wireless licenses in the Commission's upcoming wireless license auctions. We therefore ask the Commission to adopt a number of modifications to the Designated Entity ("DE") Program, outlined below, to ensure that small, minority and women-owned businesses are given a real chance of winning spectrum in future auctions, in turn ensuring that consumers have a broader array of wireless products and services available to them.

The top-5 national wireless carriers today (pro forma for pending mergers) control 89% of wireless subscribers nationwide, up from just 50% ten years ago. The resulting carriers, with operating and financial resources of unprecedented scale, will use those resources to dominate the Commission's future wireless auctions, including the Advanced Wireless Services ("AWS") auction of 90 MHz of spectrum nationwide. As the Commission itself long ago recognized, small, minority and women-owned businesses simply do not have the wherewithal to successfully win licenses, the

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industry's lifeblood, in the face of national carriers intent on further consolidating their positions.

We therefore urge the Commission to adopt four specific changes to the existing DE Program to address this situation. Specifically, we recommend that:

- Large incumbent wireless carriers (defined as having wireless revenues of \$5 billion or more) should not be allowed to partner with DEs in-region.
- The AWS DE bid credit should increase from 25% to 35%.
- The DE bid credit should increase by 10 points (i.e., from our maximum proposed 35% to 45%) for those DEs who disproportionately serve underserved segments of the population, namely low income and minority group segments.
- High net worth individuals (with net worth exceeding \$3 million, excluding interests in their primary house) should not have a controlling interest in a DE.

These changes to the DE Program will help promote competition and ensure diversity of ownership in the wireless industry, benefiting carriers and consumers alike. Importantly, this is highly consistent with the Commission's intent in forming the DE Program to implement Section 309(j) of the Communications Act.

We ask the Commission to amend the current auction rules ahead of the upcoming Advanced Wireless Services auction to preserve real competition in the wireless industry and advance the Commission's work regarding Section 309(j).

Sincerely,



Maria Efantis Brennan
Executive Director
American Women in Radio and Television

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