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February 20, 2020

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VIA EMAIL

Commissioner Clifford Rechtschaffen
Administrative Law Judge Karl J. Bemesderfer
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

RE: A.18-07-011, A.18-07-012 In the Matter of the Joint Application of Sprint Communications Company L.P., and T-Mobile USA, Inc., a Delaware Company, for Approval of Transfer of Control of Sprint Communications Company L.P. Pursuant to California Public Utilities Code Section 854(a)

Dear Commissioner Rechtschaffen and ALJ Bemesderfer:

The California Emerging Technology Fund (CETF) urges the California Public Utilities Commission to take all appropriate steps to ensure issuance of a Proposed Decision with respect to Joint Applicants' Applications in the above-referenced docket as quickly as possible, in light of the issuance of a court decision by the US District Court for the Southern District of New York, issued on February 11, 2020 (Decision), rejecting efforts by state Attorneys General to block the proposed transaction by the Applicants to form "New T-Mobile."


CETF has reviewed the 173-page Decision and its definitive conclusion that the merger is not likely to substantially lessen competition in the market for retail mobile wireless services. This well-reasoned conclusion based on evidence should be instructive to this Commission as it ponders the same question as to the California market. Both the Federal Communications Commission and the U.S. Department of Justice have issued approvals with conditions for T-Mobile to acquire Sprint in the public interest. There now is a clear national consensus that this transaction greatly benefits consumers.

CETF has come to the same conclusion, having actively participated in both evidentiary hearings. CETF foresees many benefits to California consumers coupled with significant additional public benefits secured and assured through the filed Memorandum of Understanding between CETF and T-Mobile. As a result of this transaction, consumers will gain: better wireless coverage at higher speeds; improved affordable offers for broadband and voice services; continued Lifeline rate with free data; enhanced emergency services; and expanded education and digital literacy training opportunities. In addition, New T-Mobile will generate 1,000 good-paying jobs in the San Joaquin Valley.

CETF also was favorably impressed by the testimony of DISH Network at the December 2019 California evidentiary hearings. Further, as articulated by the US District Court Judge, CETF hopes that DISH will take advantage of the opportunity to aggressively compete in the wireless market for the benefit of price-conscious consumers as a fourth competitor.

Therefore, CETF respectfully requests that a Proposed Decision be issued by February 25, 2020 to be voted on by the Commission on March 26, 2020, and for the transaction to be closed promptly thereafter. Given that the case was submitted to the Administrative Law Judge on December 6, 2019, CETF urges a timely Decision to conclude California review. We appreciate your consideration of our urgent request for immediate action.

Sincerely,


Sunne Wright McPeak
President and CEO

cc: President Marybel Batjer
Commissioner Liane Randolph
Commissioner Martha Guzman Aceves
Commissioner Genevieve Shiroma
Robert Osborn, Director, Communications Division
Service List for A.18-07-011, A.18-07-012