Sprint

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Via Electronic Mail Delivery

Ms. Marcia Glauberman
Cable Services Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ***Written Ex Parte Communication***
Eighth Annual Report – Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming SC Docket No. 01-129 and Inquiry Concerning the Deployment of Advanced Communications Services to all Americans CC Docket No. 98-146

Dear Ms. Glauberman and Ms. Salas:

Sprint Corporation ("Sprint") submits this *ex parte* response to the Commission's Eighth Annual Report – Annual Assessment of the Status of competition in the Market for the Delivery of Video Programming, released January 14, 2002. In this report, the Commission erroneously stated that "Sprint, which introduced its video, voice, and data service to consumers and businesses in 1998, recently announced that it will terminate this service." Sprint submits this notice to clarify that it has not terminated service to its existing MMDS customer base.[1]

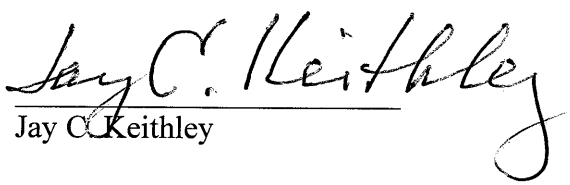
As Sprint has stated in the past, Sprint and other companies have invested a great deal of money and time constructing MDS systems which are now providing valuable service to the public and which, as the Commission itself has recognized, hold great

[1] Sprint notes that neither the press release nor the website cited by the Commission as stating that Sprint intended to terminate these services in fact make that statement. Sprint's October 17, 2001 News Release stated that Sprint is: "Ending customer acquisition for the company's fixed wireless (MMDS) services and freezing the number of MMDS markets served until substantial progress is made on second-generation MMDS technology. The current MMDS customer base will be maintained, as will all video services offered through the fixed wireless spectrum." The Sprint History link on the Sprint website does not even refer to MMDS service.

promise as an alternative to DSL and cable service.[2] While Sprint recently announced the suspension of its deployment of first-generation two-way, broadband fixed-wireless services, it stated that it would continue to provide service to its existing first generation customers, as well as to its existing video service customers.[3] Sprint also stated that it would continue to test second generation fixed-wireless technology and that it "[r]emained hopeful that the next generation of MMDS technology will overcome many of today's limitations [Sprint has experienced with its deployment of first generation technology]."[4] Second generation MDS fixed-wireless technology promises to reduce, or hopefully eliminate, line-of-sight restrictions and lower installation cost because customers can install equipment themselves. Thus, Sprint hopes that the new technology will prove much more economically viable to deploy and operate and will offer customers many advantages over the existing service.

Sprint hopes that this will clarify the record concerning its plans to continue serving its MMDS customers and that the Commission will remain mindful that the customer base reflected in Sprint's most recent 477 filing remains accurate when the Commission prepares its next report on the Deployment of Broadband Services. Sprint is committed to serving its existing MMDS customers and looks forward to the promise of second generation MMDS services.

Sincerely,



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[2] *See* Sprint comments in 00-258, noting that in its Final Report, the Commission found that MDS licensees provide commercial video programming; and MDS providers, through their broadband fixed wireless services, provide a "significant opportunity for further competition with cable and digital subscriber (DSL) services in the provision of broadband services in urban areas and deliver broadband services to rural areas." *See* FCC Office of Engineering and Technology, Mass Media Bureau, Wireless Telecommunications Bureau and International Bureau, *Spectrum Study of the 2500-2690 MHz Band: The Potential for Accommodating Third Generation Mobile Systems, Final Report* ("Final Report") at 13.

[3] *See* Sprint Press Release, "Sprint to Terminate ION Efforts; Announces Additional Actions to Improve Competitive Positioning and Reduce Operating Costs in FON Group," Oct. 17, 2001, http://biz.yahoo.com/prnews/011017/cgw066_1.html.

[4] *See* "As it Cuts back on fixed –wireless service, Sprint considers using spectrum for mobile offerings," TR Daily, Oct. 18, 2001, (The president of Sprint's Global Markets Group identified "line-of-site issues" and "high installation costs" as limitations Sprint hoped to see overcome by second generation MMDS technology. Sprint also indicated that it was considering if and how Sprint could make use of the Commission's decision in the initial NPRM to permit mobile use of the 2.5 GHz band.)