

Three Year Migration Period

T-Mobile's Neville Ray testified 14 times about a three-year CDMA migration period during the merger review process:

- (1) Q: "New T-Mobile will be divesting the 800-megahertz spectrum after **three years** for which New T-Mobile plan to use to support LTE and CDMA service for Sprint customers during the migration process; is this correct?
A: Yes."¹
- (2) "New T-Mobile planned and still does plan to use that spectrum exclusively to support former Sprint customers during the anticipated **3-year migration period**..."²
- (3) "I would also reiterate that T-Mobile intends to maintain the 800 MHz spectrum for **three years** to support CDMA service during our migration process and that we have an option to lease 4 MHz of spectrum for additional time if required."³
- (4) "The divestiture commitments give us **three years** of continued use of the 800 MHz spectrum from the time we divest Sprint's pre-paid assets to DISH."⁴
- (5) "I mean why that last four megahertz is important, that's the service or the spectrum that supports primarily today that CDMA voice service, and that's the piece that we want to make sure is protected its needs as we move through the first **three-year period**."⁵
- (6) "T-Mobile expects that all Sprint customers are likely to be completely migrated within **three years**."⁶
- (7) and (8) "And then the 800 megahertz spectrum, we've structured an arrangement whereby after **three years** we would sell the 800 megahertz spectrum to DISH, but we have the right to retain a portion of that spectrum for a period of time, four megahertz, I believe it's for another two years after the first **three-year period**."⁷
- (9) "Why we want to use it for that **three years** is during the migration process of Sprint and Boost customers off of the legacy Sprint network and the Sprint services and onto the

¹ Testimony of Neville Ray, CPUC Additional Evidentiary Hearing Tr. at 1378:13-19 (Dec. 5, 2019) (emphasis added) ("Ray Testimony").

² Supplemental Testimony of Neville Ray on Behalf of Joint Applicants, at 13:15-17 (Nov 7, 2019) (emphasis added) ("Supplemental Ray Testimony").

³ *Id.* at 21:6-8 (emphasis added).

⁴ *Id.* at 13:14-15 (emphasis added).

⁵ Ray Testimony at 1375:11-17 (emphasis added).

⁶ Supplemental Ray Testimony at 47:5-6 (emphasis added).

⁷ Ray Testimony at 1374:15-22 (emphasis added).

New T-Mobile network...”⁸

(10) “So our intent is to -- that’s why we put **three years** there. If we determine we need longer, we have the right. We negotiated that through the PFJ with the DOJ and with DISH so that we could retain a portion of that 800 megahertz for up to five years.”⁹

(11) “That said, we are very, very confident that we will be at a complete migration of customers onto the New T-Mobile network within that **three-year period**.”¹⁰

(12) “We have to make sure we maintain coverage and sufficient capacity. But you can start to decommission certain cell sites well ahead of the **three-year period**. It’s paced on the migration of the customer base.”¹¹

(13) and (14) “That’s why we’ve always said it’s a **three-year integration program**. You know, sites will start to free up and start -- the decommissioning process will start within the **three years**, but the lion’s share of the activity would be once we’ve successfully migrated the customers.”¹²

Impact of Delay

In response to DISH’s Petition to Modify, T-Mobile made statements regarding the financial and deployment impacts of a shutdown after January 1, 2022 (accessible here:

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M386/K236/386236218.PDF>), see below:

-- “There are several significant adverse effects on 5G deployment that would clearly and quickly arise from a requirement to maintain the CDMA network. First, T-Mobile’s funding of the \$40 billion network investment nationally and [REDACTED] investment in the State of California is highly dependent on rapid cost savings from the elimination of duplicative and unnecessary network elements.”

-- “Second, sunseting the CDMA network in the January 2022 timeframe is not an event occurring in isolation from T-Mobile’s overall 5G network build. Rather, it is a critical component of a detailed network transition plan years in the making that will shift the resources, network infrastructure, and spectrum needed to keep the CDMA network operational towards enhancing and accelerating T-Mobile’s 5G deployment. Many of the towers currently carrying CDMA equipment need to be upgraded to support 5G. Delaying the removal of the CDMA equipment in California means that T-Mobile may have to delay installation of new 5G equipment (because, for example, there may not be space on the tower and in the equipment

⁸ *Id.* at 1374:28-1375:3 (emphasis added).

⁹ *Id.* at 1375:4-10 (emphasis added).

¹⁰ *Id.* at 1375:18-21 (emphasis added).

¹¹ *Id.* at 1383:28-1384:5 (emphasis added).

¹² *Id.* at 1382:17-23 (emphasis added).

shelter for both 5G and CDMA equipment); this in turn potentially impacts T-Mobile's ability to deliver the world leading 5G network that its commitments are designed to ensure."