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NACEPF and Mobile Beacon Express Concern After FCC Cites Unenforceable Merger Conditions As Reasons to Approve the Anticompetitive T-Mobile/Sprint Merger

Johnston, RI (May 20, 2019) - Following Chairman Pai and Commission Carr's statements of support for the T-Mobile/Sprint merger, the North American Catholic Educational Programming Foundation, Inc. (NACEPF) and Mobile Beacon issued the following statement from Katherine Messier, Executive Director.

"It is deeply concerning to us that FCC regulators would express support for a merger absent any structural remedies, like 2.5 GHz spectrum divestiture. Giving New T-Mobile control of virtually all of the 2.5 GHz band would result in a very different situation than what exists today with Sprint. There is undisputed evidence on the record that Sprint has a far superior track record than T-Mobile for entering into mutually-beneficial MVNO deals with rural operators that enable both parties to roam onto the others' network. Sprint also has over 1,500 long-term Educational Broadband Service (EBS) leases with educational and nonprofit organizations for use of the EBS portion of the 2.5 GHz band. T-Mobile has made no commitment to upholding these EBS lease agreements, which hundreds of thousands of low-income families and rural Americans rely on today for internet service.

This merger is—and remains—anticompetitive. Those that stand to lose the most are those that currently rely on affordable broadband service from a Sprint MVNO partner or EBS partner. Nothing in the proposed conditions even attempts to address these harms.

The lack of commitment from T-Mobile to address any MVNO or EBS concerns is telling, but the FCC's willingness to support a merger with no remedy for this harm is even more troubling. If this merger is approved with unenforceable behavioral remedies and no structural remedies, it is hard to envision any merger that this FCC would not approve."

A growing number of stakeholders have expressed concerns about this merger and the pending EBS rulemaking, which together, has the potential to eradicate all existing and future public interest benefits that today provide broadband to millions of students throughout the United States. Multiple public interest groups recently raised concern about the [implications of the merger on the pending EBS rulemaking](#) proceeding, evidence of the amplified harm to rural and low-income Americans posed by these [parallel proceedings](#) is on the record in both FCC dockets, and concerns raised by a digital inclusion nonprofit states that T-Mobile's lack of



commitment to uphold EBS leases puts [128,000 low-income families at risk](#) of losing their only source of internet access.

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About NACEPF: North American Catholic Educational Programming Foundation, Inc. (NACEPF) is a Rhode Island-based 501 (c) (3) nonprofit organization and the second largest Educational Broadband Service (EBS) licensee in the United States. NACEPF's broadband service, religious and educational programming, and advocacy efforts support education at every level. NACEPF's worldwide philanthropic efforts focus on providing access to the resources essential to human development and well-being. This includes access to healthy food, clean water, safe housing, education, healthcare, and faith-based services. NACEPF's wholly-owned subsidiary, Mobile Beacon, broadband service to educational, nonprofit, and community anchor institutions throughout the United States. To learn more, visit www.nacepf.net.

About Mobile Beacon: Mobile Beacon provides high-speed, low-cost, mobile internet access to the anchors of communities: the nonprofits, schools, libraries, and healthcare organizations that provide vital services to millions of Americans every day. Through this broadband service, organizations have an essential tool to fulfill their missions and maximize their philanthropic impact, which allows organizations to access more information, reach more people, and help more in their communities. Learn more at www.mobilebeacon.org.