



Stephen Bye
Chief Technology Officer
6200 Sprint Parkway
Overland Park, KS 66251

January 15, 2015

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *In the Matter of Protecting and Promoting the Open Internet*,
GN Docket No. 14-28.

Dear Chairman Wheeler:

Over the past several weeks, public interest groups, mobile and wireline carriers, industry associations, and government entities have debated heatedly the appropriate legal basis for the authorization of net neutrality rules. The debate has focused on whether data services should be governed by Title II or Section 706 of the Communications Act. Regardless of the legal grounds proposed, Sprint has emphasized repeatedly that net neutrality rules must give mobile carriers the flexibility to manage our networks and to differentiate our services in the market. With that said, Sprint does not believe that a light touch application of Title II, including appropriate forbearance, would harm the continued investment in, and deployment of, mobile broadband services.

When first launched, the mobile market was a licensed duopoly. This system was a failure, resulting in slow deployment, high prices and little innovation. In 1993, Congress revised the Telecommunications Act to allow new carriers, including Sprint, to enter the market. This competition resulted in tremendous investment in the wireless industry, broader deployment, greater innovation, and falling prices. It is absolutely true that this explosion of growth occurred under a light touch regulatory regime. Some net neutrality debaters appear to have forgotten, however, that this light touch regulatory regime emanated from Title II common carriage regulation, including Sections 201, 202 and 208 of the Communications Act.

With the deployment of IS95 data services in 1999, Sprint was one of the first wireless carriers in the United States to deploy mobile data service on a national scale. Sprint went on to upgrade these data services to IS-2000 1xRTT in 2002, 1xEVDO Rev 0 in 2004, and 1xEVDO Rev A in 2006. Sprint made these investments despite the fact that the FCC had not yet declared mobile broadband to be an information service. Sprint and other wireless carriers have continued to invest in the advancement of mobile data services with the deployment of LTE networks. So long as the FCC continues to allow

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wireless carriers to manage our networks and differentiate our products, Sprint will continue to invest in data networks regardless of whether they are regulated by Title II, Section 706, or some other light touch regulatory regime.

Sprint has always believed that competition, not regulation, will provide consumers the best mobile services at the lowest price. We urge the FCC and Congress not to be distracted by debates over Title II but to focus on competition by ensuring that any net neutrality regulations adopted recognize the unique network management challenges faced by mobile carriers and the need to allow mobile carriers the flexibility to design products and services to differentiate ourselves in the market.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Bye", written in a cursive style.

Stephen Bye
Chief Technology Officer

Cc: Commissioner Clyburn
Commissioner Rosenworcel
Commissioner Pai
Commissioner O'Reilly