

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993	)	WT Docket No. 09-66 (Terminated)
	)	
Annual Report and Analysis of Competitive Market Conditions With Respect to Mobile Wireless, Including Commercial Mobile Services	)	
	)	

**FOURTEENTH REPORT**

**Adopted: May 20, 2010**

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By the Commission: Chairman Genachowski and Commissioners Copps and Clyburn issuing separate statements; Commissioners McDowell and Baker concurring and issuing separate statements.

**TABLE OF CONTENTS**

Heading	Paragraph #
I. EXECUTIVE SUMMARY .....	1
II. INTRODUCTION .....	5
III. MOBILE WIRELESS SERVICES: INDUSTRY STRUCTURE .....	20
A. Introduction .....	20
B. Overview of Service Providers .....	26
1. Facilities-Based Providers .....	26
2. Resale/MVNO Providers .....	31
3. Narrowband Data Providers .....	35
4. Mobile Satellite Service Providers .....	36
C. Horizontal Concentration .....	39
1. Number of Competitors .....	40
2. Concentration Measures .....	48
D. Entry and Exit Conditions .....	56
1. Regulatory Entry and Exit Conditions .....	58
2. Non-Regulatory Entry and Exit Conditions .....	60
E. Recent Entry and Exit .....	68
1. Entry .....	68
2. Exit .....	74
IV. MOBILE WIRELESS SERVICES: PROVIDER CONDUCT .....	85
A. Price Rivalry: Developments in Mobile Service Pricing Plans .....	87
1. Postpaid Service .....	89
2. Prepaid Service .....	98
B. Non-Price Rivalry .....	104
1. Network Coverage and Technology Upgrades .....	105
a. Service Provider Technology Deployments .....	111

b. Coverage by Technology Type.....	118
c. Roaming.....	124
2. Advertising, Marketing, Sales Expenditures, and Retailing.....	127
a. Advertising Expenditures.....	128
b. Marketing Campaigns.....	132
c. Retailing.....	134
3. Differentiation in Mobile Wireless Handsets/Devices.....	135
4. Differentiation in Mobile Data Applications.....	148
V. MOBILE WIRELESS SERVICES: PERFORMANCE.....	153
A. Subscribership Levels.....	155
1. Mobile Wireless Subscribers by Type of Service.....	156
2. Mobile Wireless Subscribers by Pricing Plan.....	163
3. Mobile Wireless Subscribers by Age.....	165
B. Penetration Rates Across Economic Areas (EAs).....	169
C. Net Adds/Subscriber Growth.....	171
1. Industry-Wide Subscriber Net Adds.....	171
2. Mobile Wireless Net Adds by Pricing Plan.....	173
3. Mobile Wireless Net Adds by Service Provider.....	175
D. Output and Usage Levels.....	176
1. Mobile Voice.....	176
2. Mobile Messaging.....	178
3. Mobile Data Traffic (Non-Messaging).....	181
E. Pricing Levels, Changes, and Trends.....	185
1. Price Indicators.....	185
2. Wholesale Pricing.....	194
3. Intercarrier Roaming Rates and Revenue.....	196
F. Revenue.....	200
G. Investment.....	208
H. Profitability.....	214
1. Measuring Profitability.....	215
I. Network Quality.....	222
J. Economic Impact of Mobile Wireless Services.....	225
VI. MOBILE WIRELESS SERVICES: CONSUMER BEHAVIOR.....	228
A. Consumer Switching Costs.....	229
1. Access to Information on Mobile Wireless Services.....	231
2. Early Termination Fees (ETFs).....	234
3. Handsets, Handset Locking, and Handset Applications.....	239
4. Number Portability.....	242
B. Churn as a Measure of Consumer Switching Costs.....	244
VII. INPUT AND DOWNSTREAM SEGMENTS OF THE MOBILE WIRELESS ECOSYSTEM.....	249
A. Input Segments.....	249
1. Spectrum.....	250
a. Availability of Mobile Wireless Services Spectrum.....	251
(i) Frequency Bands.....	253
(ii) Facilitating Access to Spectrum Among Multiple Providers.....	260
b. Analysis of Spectrum Holdings Overall.....	265
c. Analysis of Spectrum Holdings by Spectrum Characteristics.....	268
d. Competitive Effects of Spectrum Holdings.....	281
2. Infrastructure Facilities.....	284
a. Background.....	284
b. Communications Tower Industry.....	285
c. Barriers to Cell Site Deployment.....	287

d. Competitive Effects of Infrastructure Costs and the Independent Communications Tower Industry .....	290
3. Backhaul Facilities .....	293
a. Background .....	293
b. Competitive Landscape .....	295
c. The Growing Need for Backhaul Solutions and Alternatives .....	297
B. Downstream Segments .....	299
1. Mobile Wireless Handsets/Devices and Operating Systems .....	299
a. Handsets/Devices .....	300
b. Key Factors Affecting Mobile Wireless Competition .....	311
(i) Bundling of Wireless Service Subscriptions with the Purchase of Handsets .....	312
(ii) Exclusive Handset Arrangements .....	316
2. Mobile Applications .....	318
3. Mobile Commerce .....	333
VIII. INTERMODAL COMPETITION .....	339
A. Voice Services .....	339
B. Broadband Services .....	341
C. Wireless Local Area Networks and Wireless-Wireline Convergence .....	343
IX. URBAN-RURAL COMPARISONS .....	351
X. INTERNATIONAL COMPARISONS .....	359
A. ARPU .....	360
B. Average Revenue Per Minute .....	361
C. Usage .....	362
D. Penetration Rates .....	363
E. Concentration .....	364
XI. CONCLUSION .....	368
XII. PROCEDURAL MATTERS .....	369

APPENDIX A: Spectrum for Mobile Wireless Services

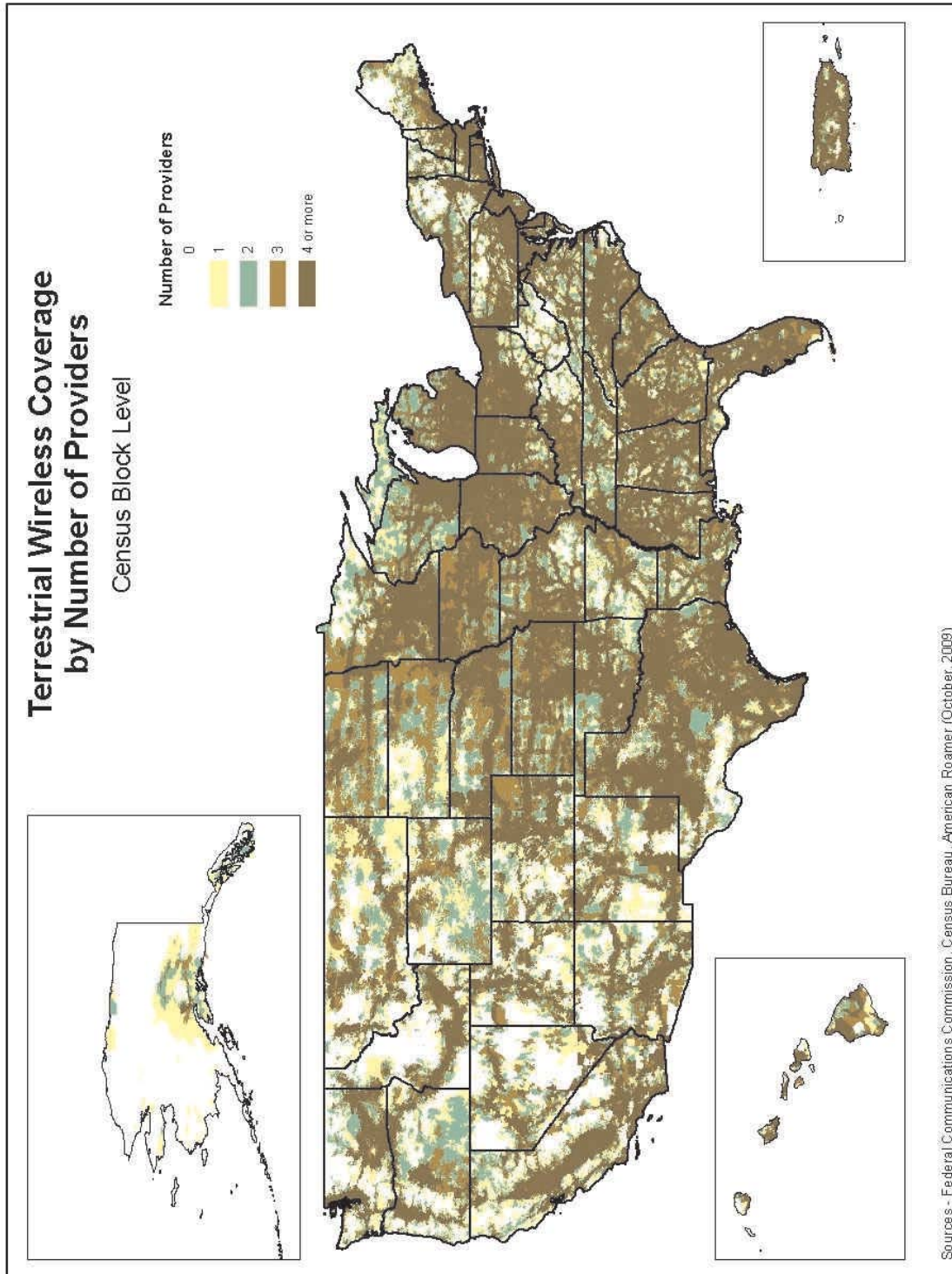
APPENDIX B: Mobile Wireless Network Technologies

APPENDIX C: Tables

APPENDIX D: Maps

APPENDIX E: List of Commenters

Map 1: Mobile Wireless Competitors



## I. EXECUTIVE SUMMARY

1. In this Mobile Wireless Competition Report, we present our findings regarding the state of competition in the mobile services marketplace, pursuant to Congress's instruction in section 332(c)(1)(C) of the Communications Act. Promoting competition is a fundamental goal of the Commission's policymaking. Competition has played and must continue to play an essential role in mobile – leading to lower prices and higher quality for American consumers, and producing new waves of innovation and investment in wireless networks, devices, and services.

2. In this Mobile Wireless Competition Report to Congress (*Fourteenth Report* or *Report*), we incorporate several important new forms of analysis that reflect fundamental shifts in the mobile marketplace. For example, whereas previous reports analyzed Commercial Mobile Radio Service (CMRS) competition and discussed a variety of metrics – including number of providers, subscribers, usage, and prices – this *Report* integrates an analysis of CMRS into an analysis of all mobile wireless services, such as voice, messaging, and broadband. This *Report* also goes beyond previous reports in reflecting the transformative importance of mobile wireless broadband, which has resulted in a shift from devices that can place traditional phone calls to pocketable devices that can access the entire Internet. Because each of the interrelated segments of the mobile wireless ecosystem has the potential to affect competition, this *Report* analyzes competition across the entire mobile wireless ecosystem, including, for the first time, in-depth analyses of “upstream” and “downstream” market segments, such as infrastructure and devices.

3. As described in this Mobile Wireless Competition Report, the mobile wireless ecosystem is sufficiently complex that any review or analysis of competitive market conditions must take into consideration a multitude of factors. As a result, rather than reaching an overarching, industry-wide determination with respect to whether there is “effective competition,” the *Report* complies with the statutory requirement by providing a detailed analysis of the state of competition that seeks to identify areas where market conditions appear to be producing substantial consumer benefits and provides data that can form the basis for inquiries into whether policy levers could produce superior outcomes.<sup>1</sup> As the mobile wireless marketplace evolves, driven in particular by mobile wireless broadband and data usage, the Commission's analyses and policies with respect to key inputs – such as spectrum – also must evolve in order to ensure a robust level of competition going forward.

4. The *Report* – which reflects market conditions prevailing in 2008 and 2009<sup>2</sup> – finds evidence of several key trends in the mobile wireless industry:

- *Maturation of the Mobile Voice Segment.* As of the end of 2008, 90 percent of Americans had a mobile wireless device, and Americans used these devices to talk for an average of 709 minutes each month. While usage statistics have generally increased over time, this year marks the first instance of reduced (though still substantial) voice usage, perhaps due to increased reliance on text and multimedia messaging. Voice revenues stayed relatively steady compared to past periods, with average revenue per user (ARPU) slightly decreasing but revenue per minute (RPM) slightly increasing.
- *Transition to a Data-Centric Market.* Data traffic has grown significantly, due to the increased adoption of smartphones and data consumption per device. Indeed, with overall revenue per

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<sup>1</sup> For a more detailed discussion of our analysis of effective competition, as required by Section 332(c) of the Communications Act, see paragraphs 11-16 *infra*.

<sup>2</sup> Where possible, the *Report* uses the most current data available, including network coverage data from American Roamer from the fourth quarter of 2009. In other instances, particularly where year-end metrics are discussed or annual comparisons are made, the *Report* uses year-end 2008 data. See Section II, Introduction, *infra*, for an additional discussion of data timeframes.

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