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M2Z Asks the FCC to Reject Requests for a Fifth AWS-3 Spectrum Test

Calls for More Testing is a Delay Tactic for Phone Companies wanting to Block Free Internet Broadband Service

Washington, DC (August 12, 2008) - M2Z Networks, Inc. announced today that it submitted evidence to the Federal Communications Commission (“FCC”) confirming that there is no need for the FCC to conduct the fifth interference test before licensing the long fallow AWS-3 spectrum to be used for a free nationwide broadband service.

M2Z's latest filing with the FCC today not only specifically rebuts the false technical and policy assertions of T-Mobile based on its recent lab test, but also provided reference to two recent additional tests on the exact same interference scenarios conducted by the International Telecommunications Union (ITU) and the United Kingdom's spectrum regulator, Ofcom, that contradict T-Mobile's findings. According to M2Z, the fact that T-Mobile and the other carriers are now seeking an additional fifth round of testing on mobile to mobile interference without addressing any of the evidence in front of the FCC is further proof that these large phone companies are using "interference testing" as a blatant attempt to prevent nationwide broadband competition.

Since May 22, 2008, the FCC has been mulling a plan that calls the long fallow 2155-2175 MHz band to be used for a nationwide lifeline broadband service. This proposal is designed to kick start broadband competition, lower prices, and provide all Americans equal access to the myriad of benefits that come from being connected to high-speed Internet. Yet, AT&T and T-Mobile, two of the largest phone companies in the world, have used procedural tactics to delay the pending vote twice this summer even though all five FCC Commissioners voted to complete this important proceeding by an August 14, 2008 deadline.

Key members of Congress with oversight of the FCC noted last week the concern that the FCC should not fall for these procedural gambits by incumbent carriers to protect their turf and prevent competition. “By every measure, the U.S. is losing the international broadband race and our competitiveness as a nation is at stake,” state Members of Congress Anna G. Eshoo and Edward Markey in an August 7, 2008 letter to Kevin Martin, FCC Chairman (http://gullfoss2.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6520037473). “We are concerned that unnecessary interference testing would needlessly delay this auction and that this constitutes the very rationale to kill this effort totally.”

According to John Muleta, CEO and co-founder of M2Z, “AT&T and T-Mobile are now asking for a fifth test to be conducted on mobile to mobile interference. The FCC already has reviewed four tests in the past year and there is no guarantee that these carriers won't seek even more tests in the future. Endless calls for indefinite testing, similar to the long-pending ‘White Spaces’ proceeding at the FCC, underscore

that these large and profitable phone companies use regulatory delay at the FCC to stifle investment and smother new competition for their own financial gains regardless of the public interest."

M2Z's submission shows that the FCC record already contains the results of four separate tests on mobile-to-mobile interference that were conducted by Verizon Wireless/Avago, Alion, Ofcom, and T-Mobile. These exhaustive and detailed tests are more than sufficient for the FCC to make the necessary policy determinations to allow new technologies and new competitors into the broadband market using the fallow 2155-2175 MHz AWS-3 spectrum band. M2Z Networks also pointed out that testing has never been a gating factor for the FCC to issue new primary spectrum allocation and service rules and would be a significant and unlawful departure from FCC precedent. "Creating an unspecified and unprecedented testing regime on AWS-3 spectrum will be a step backward for the United States relative to other international regulators and their decisions to use spectrum efficiently and promote greater access to broadband," added Muleta.

International regulators such as the ITU and United Kingdom's Ofcom have conducted multiple tests and studies evaluating interference in adjacent TDD and FDD bands including tests using UMTS handsets similar to the ones currently being deployed in the United States in the AWS-1 band by T-Mobile and other incumbent wireless carriers. Analysis of the full range of data available to the FCC conclusively shows that, contrary to the posturing of opponents to free broadband, the onerous technical requirements urged by the AWS-1 licensees lack precedent in the U.S. and in the international community. The ITU's 2007 study on TDD/FDD coexistence concluded by stating "[t]he adjacent channel interference from [TDD to standard FDD downlink] is negligible for all scenarios." Similarly, OfCom's April 2008 tests found that, "[t]he results of this further analysis [on FDD/TDD adjacent co-existence] confirm the substance of the conclusions that [OfCom] presented in the Discussion Document of August 2007, namely that the effects of terminal-to-terminal interference are very modest."

About M2Z Networks:

Founded in 2005 and headquartered in Menlo Park, Calif., M2Z Networks' goal is to transform the current state of the broadband marketplace by building a new high-speed wireless network throughout the United States. The FCC has recently drafted proposed rules that would require a spectrum auction for a slice of fallow spectrum in which the licensee would have to guarantee the delivery of free, fast and family-friendly wireless broadband service to at least 95 percent of Americans within a 10 year timeframe. M2Z is backed by Kleiner, Perkins, Caufield and Byers; Charles River Ventures; and Redpoint Ventures; three of the most successful venture capital firms in Silicon Valley with \$5 billion of capital under management. For more information, please visit www.M2Znetworks.com and www.FreeBroadbandNow.org.

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