



U.S. Department of Justice

Antitrust Division

Liberty Square Building

*450th Street, N.W.
Washington, DC 20001*

October 7, 2016

Via E-mail: Timothy.Cornell@CliffordChance.com

Timothy Cornell, Esq.
Clifford Chance US LLP
2001 K Street, NW
Washington, Dc 20006

**Re: DOJ Investigation into the Proposed Adoption of a
Remote SIM Provisioning Technical Specification**

Dear Mr. Cornell:

As we discussed in our earlier telephone call, the United States Department of Justice, Antitrust Division (the "Division") is in the process of closing its investigation into whether mobile carriers and the GSM Association ("GSMA") have violated Section 1 of the Sherman Act through their coordinated efforts to adopt Profile Policy Rules 1 and 2 as part of a technical specification for the Remote SIM Provisioning ("RSP") of embedded Universal Integrated Circuit Cards, also known as eUICCs. There were a variety of factors the Division considered in deciding to close the investigation. The more important factors include our understanding that the adoption of Profile Policy Rules 1 and 2 would only create a technical capability on devices, and do not address how (or whether) any carrier would use that capability; that Verizon's obligation to the FCC not to lock devices that use the 700 MHz C Block spectrum remain in effect; and that the CTIA commitments governing the unlocking of devices made by the U.S. carriers to the FCC also remain in effect.

The Division also understands that GSMA is not currently considering adopting Profile Policy Rule 3 as part of the RSP technical specification. If GSMA reconsiders the adoption of Profile Policy Rule 3, we request that you inform us immediately. In addition, the Division will continue to monitor the implementation of Profile Policy Rules 1 and 2, and we will open an investigation if the implementation of those profile policy rules concerns us.

Upon the close of the investigation, GSMA will no longer have any obligations under the Preservation of Documents and Electronic Information request that we sent to GSMA on August 16, 2016.

Please contact me at (202)598-8796 or scott.reiter@usdoj.gov if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Reiter". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Scott Reiter
Trial Attorney
Telecommunications & Media