

EXHIBIT 34

WIRELESS

Dish and T-Mobile resolve their CDMA shut-off dispute

By Linda Hardesty

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Dish Network

T-Mobile

Charlie Ergen

AT&T



Dish confirmed that it's sunk about \$250 million into costs related to the CDMA shutdown fiasco. (Dish Network)

Dish Network has resolved its dispute with T-Mobile over the shut-down of T-Mobile's 3G CDMA network. The parties have agreed that T-Mobile's CDMA network will officially shut down on March 31 — the same date that T-Mobile has been sticking to in the fight between the two carriers.

“We have reached an agreement with T-Mobile ... that resolves all the disputes that we have together today that have taken up an inordinate amount of their time and our time,” said Dish Chairman Charlie Ergen on the company's fourth quarter 2021 earnings call today.

Ergen said Dish and T-Mobile have an agreement that's in front of the Federal Communications Commission and the Department of Justice. “So we won't be able to go into any great detail about that because they have to approve that,” he said.

For nearly a year the carriers have been embroiled in a feud about the timeline for shutting down T-Mobile's 3G CDMA network. As part of the Sprint/T-Mobile merger in April 2020, Dish obtained Sprint's Boost Mobile customers. Those customers used T-Mobile's CDMA network. In February 2021 T-Mobile threw Dish for a loop, saying that it planned to shut down its CDMA network faster than Dish expected.

RELATED: T-Mobile extends CDMA shutdown by 3 months (<https://www.fiercewireless.com/operators/t-mobile-extends-cdma-shutdown-by-3-months>)

Today, Ergen said the two carriers have finally settled their fight and are working together to communicate to Boost customers who are still on the CDMA network and to help them obtain new handsets.

“To get that done, that's some short-term pain for us, but we've already experienced a lot of pain with that, with the uncertainty and the changing dates,” said Ergen. “Long-term, our relationship will be able to be much broader and positive for both companies.”

He warned that in the short-term Dish expects some continued churn of Boost Mobile customers. “As they turn the network off, those people have to go somewhere. We just can't reach them all.”

Dish and AT&T

Even though it appears Dish is mending fences with T-Mobile, Ergen also said today, “AT&T will still remain our primary vendor and the one that we work with on a day-to-day basis.”

He was referring to the fact that in the midst of its feud with T-Mobile, Dish struck a 10-year \$5 billion wholesale deal with AT&T, making AT&T the primary network for Dish MVNO customers.

RELATED: [Dish signs \\$5B MVNO deal with AT & T \(https://www.fiercewireless.com/operators/dish-signs-5b-mvno-deal-at-t\)](https://www.fiercewireless.com/operators/dish-signs-5b-mvno-deal-at-t)

Under the agreement, struck in July 2021, AT&T began providing network services for Dish’s Boost Mobile, Ting Mobile and Republic Wireless customers.

Today, Ergen said that Dish has the ability to use both the AT&T network as its primary wholesale network and to supplement that with T-Mobile's network, “where we have a lot of customers already on T-Mobile that we don't have to move off in the short term.”

John Swieringa, who was recently promoted to president of Dish Wireless, said on today’s call, “We’ve been working through this really since we bought Boost. This has been a situation where we've been on defense. So strong cooperation with us and T-Mobile to move the remaining subscribers.”

RELATED: [Dish names John Swieringa president and COO of Dish Wireless \(https://www.fiercewireless.com/wireless/dish-names-john-swieringa-president-and-coo-dish-wireless\)](https://www.fiercewireless.com/wireless/dish-names-john-swieringa-president-and-coo-dish-wireless)

Swieringa added, “We are loading a substantial portion of our Boost Mobile customers on to the AT&T network. We're also enabling Republic Wireless and some of our other brands to load on to AT&T.”

Dish confirmed that it’s sunk about \$250 million into costs related to the CDMA shutdown fiasco. Dish CFO Paul Orban said the majority of the \$250 million was incurred in the second half of 2021.

- Dish Network
- T-Mobile
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- AT&T
- CDMA
- 5G
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- Wireless