

AT&T wants Sprint suit over T-Mobile deal quashed

September 30 2011, By PETER SVENSSON , AP Technology Writer

(AP) -- AT&T Inc. on Friday asked a court to eject rival Sprint Nextel Corp. from the process that looks at whether AT&T should be allowed to buy T-Mobile USA.

Sprint, the nation's third-largest cellphone company, and a smaller phone company, Cellular South, both want to be parallel participants in the Justice Department's suit against AT&T's acquisition on antitrust grounds. Participating would give them a chance to affect the proceedings, even if the Justice Department is the most important objector to the deal.

AT&T on Friday filed a motion to have the complaints by the two phone companies dismissed, saying [Sprint](#) and Cellular South are speaking in their own interests, not the public's.

Sprint said AT&T's motion is without merit, and it will respond next week. Cellular South, which recently changed its brand name to C Spire Wireless, did not immediately respond to a request for comment.

AT&T, the No. 2 cellphone carrier in the United States, announced in March its \$39 billion deal to buy T-Mobile USA, the No. 4, with a view to closing it early next year. The Justice Department filed suit to stop the deal a month ago in U.S. District Court in Washington, saying it would concentrate too much market power in one company, leading to higher prices for consumers.

AT&T says the merger will allow it to better serve customers and expand its wireless network.

Several states have joined the suit. Puerto Rico joined on Friday.

AT&T on Friday said Sprint has "spoken disingenuously" about its motives for the merger, and has suggested that Sprint be allowed to buy [T-Mobile](#) USA. Cellular South has suggested that it would not oppose the merger if AT&T would agree not to put up its own cellular antennas in Mississippi, Cellular South's home territory.

"Such an extraordinary and inappropriate proposal simply confirms that what Cellular South fears is competition, not an alleged lack of competition," AT&T said Friday.

AT&T shares fell 28 cents to \$28.56 in late afternoon trading.

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