

January 12, 2026

[REDACTED] - Attn: Leasing Department

Reference: TOWER SITE LEASE AGREEMENT ("Agreement")

Dear [REDACTED]:

Since 2020, working with you and our other partners, we successfully built the nation's first 5G Open RAN network, meeting our buildout milestones. As you likely know, in May 2025, the Federal Communications Commission (the "FCC") announced it had begun an investigation into reversing prior grants of license authority to EchoStar Corporation and certain of its subsidiaries (collectively, "EchoStar") with respect to certain of EchoStar's spectrum licenses. During ensuing discussions, the FCC communicated that EchoStar's utilization of its spectrum was unacceptable given the small number of Boost Mobile subscribers on its network. The FCC further communicated that EchoStar's continued ownership of such spectrum licenses failed to best serve the public interest and that EchoStar needed to sell certain spectrum licenses or the FCC would revoke the licenses. Thus, EchoStar would have had to abandon its longstanding business plan for Boost Mobile.

Accordingly, EchoStar entered into a series of transactions that will, over time, result in the decommissioning of our Boost Mobile radio access network. Specifically, on August 26, 2025 and September 7, 2025, respectively, EchoStar Corporation and certain of its subsidiaries entered into agreements to sell the 3.45 GHz and 600 MHz spectrum licenses to AT&T and the AWS-4 and H-block spectrum licenses to SpaceX. FCC Chairman Carr then directed FCC staff to bring the agency's investigation to conclusion, finding that, among other things, EchoStar has satisfied its buildout and other related obligations. DISH Wireless L.L.C. ("DISH Wireless") is not a party to the AT&T or SpaceX agreements, does not own the spectrum licenses being sold to AT&T or SpaceX, and is not entitled to receive any of the spectrum sale proceeds at closing.

The Agreement and the Premises (as defined in the Agreement) have been impacted by all of these unforeseeable actions by the FCC taken outside of DISH Wireless's control. As such, we are writing to inform you that the FCC's actions and the resulting spectrum sales have frustrated the principal purpose and completely destroyed the value of the Agreement and made it impossible for DISH Wireless to perform. As a result, DISH Wireless's obligations are excused. This letter will serve as notice under the Agreement of the events described herein, to the extent required, including without limitation with respect to any force majeure event, without waiver of any rights, remedies, defenses and positions with respect to DISH Wireless's rights and obligations under the Agreement and under law and equity, and all such rights, remedies, defenses and positions are expressly reserved.

We are available to discuss the implications of these events on the Agreement. Please provide the contact information for the individual within your organization best suited to discuss this matter to [lease.inquiries@dish.com](mailto:lease.inquiries@dish.com) and we will arrange for a time to discuss.

Sincerely,



John Swieringa  
President, Technology & Chief Operating Officer  
DISH Wireless L.L.C.