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AUG 14 1992

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
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ORIGINAL  
FILE

August 14, 1992

Ms. Donna R. Searcy, Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, DC 20554

Re: Notice of Proposed Rulemaking in Docket 92-100

Dear Ms. Searcy:

Enclosed, for filing, please find one (1) original plus five (5) copies of the enclosed letter re the above-referenced docket.

Should you have any further questions, please contact me.

Very truly yours,

*Judith St. Ledger-Roty*  
Judith St. Ledger-Roty  
Counsel for Paging Network, Inc.

JSLR:pd1

Enclosures

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AUG 14 1992

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

August 12, 1992

Alfred C. Sikes, Chairman  
Federal Communications Commission  
Room 814  
1919 M Street, N.W.  
Washington, DC 20554

Commissioner Andrew C. Barrett  
Federal Communications Commission  
Room 844  
1919 M Street, N.W.  
Washington, DC 20554

Commissioner James H. Quello  
Federal Communications Commission  
Room 802  
1919 M Street, N.W.  
Washington, DC 20554

Commissioner Ervin S. Duggan  
Federal Communications Commission  
Room 832  
1919 M Street, N.W.  
Washington, DC 20554

Commissioner Sherrie P. Marshall  
Federal Communications Commission  
Room 826  
1919 M Street, N.W.  
Washington, DC 20554

Re: Notice of Proposed Rulemaking in Docket 92-100

Dear Sirs and Madam:

The undersigned companies are writing to express their substantial concern that certain actions taken by the Commission in the adoption of its Notice of Proposed Rulemaking in Docket 92-100 ("Notice") at its July 16, 1992 Public Meeting, as set forth in its press release that day, may unnecessarily delay the timely introduction of demonstrably beneficial advanced messaging services to the public. In our view, these services, also referred to as narrowband paging services, are too important to the public to be subsumed by lengthy regulatory processes, a view which we hope you share. Although these concerns have prompted us to communicate with you prior to the release of the Notice, we do not here take issue with the Commission's tentative award of a pioneer preference to Mobile Telecommunications Technologies ("Mtel") granted simultaneously with or as part of the Notice.

We urge the Commission to immediately create separate procedural tracks for advanced messaging services ("AMS") and broadband personal communications services ("PCS"). We also urge the Commission to

neither dismiss nor deny the Pioneer Preference requests filed by the undersigned, but rather continue to give them consideration in Docket 92-100.

In the first instance, although we concur that all mobile services arguably can be subsumed under the personal communications services umbrella, we are very troubled by the Commission's apparent decision to consider rules applicable to AMS and the new broadband personal communications services in the same proceeding unless it adheres to different dates for comment and consideration of the issues each service poses. We believe that the issues pertaining to the introduction of AMS are well defined and capable of more rapid resolution by the Commission whereas issues pertaining to the new personal communications services are both politically, economically and technically far more complex because of the vast amount of spectrum to be allocated, and concerns over displacement of existing users. We urge the Commission to proceed separately on the narrowband and broadband services and to set reasonably short comment periods for resolution of issues pertaining to AMS so that an Order resolving these issues can be released this year, and the allocation of licenses for these services begin.

We are further troubled about the Commission's characterization of advanced narrowband services as PCS because we fear that label will further encourage speculators to apply for frequencies our companies, each established companies with a demonstrated commitment to providing AMS to the public, have counted on as a means of providing AMS services we have developed. In fact, under any scenario the Commission presently has under consideration, it is not clear that existing paging companies have a realistic opportunity to secure the frequencies necessary to expand and grow their existing businesses through advanced messaging services. This is true despite the fact that the undersigned companies and other preference applicants offered the Commission, through pioneer preference requests, an extraordinary variety of narrowband voice and data paging services which we, and perhaps only we, have the capacity to make available to the public near term.

The Press Release appears to indicate that the Commission has retained the flexibility to promulgate rules which would accommodate more of these services than just those proposed by Mtel, e.g., by proposing that licenses be allocated anywhere from 50 kHz channels to 1 MHz channels. By the same token, the Commission's apparent desire to accommodate the greatest diversity of services strongly argues that the Commission leave open the possibility of granting additional and sustainable preferences among the original pioneer preference applicants. A diversity of services is necessary to satisfy a diversity of needs in an efficient and spectrally efficient manner. As the proceeding progresses, we believe it is likely that the Commission's conception of the

services which should be accommodated will evolve to include many of those proposed by the preference applicants, in addition to Mtel, and thus which may entitle these applicants to pioneer preferences. Foreclosing this possibility would be precipitous, and unnecessary.

Certainly the Commission's grant of a tentative preference to Mtel does not indicate that that one service will satisfy the public need for advanced messaging services. Indeed, such a judgment by the Commission would be contrary to its long standing policy of avoiding government sponsored industrial policy. Among the pioneer preference requests were new, well developed service proposals rich in detail and of obvious benefit to the public. To further its goals of service diversity and to award those who developed these services, the Commission should take actions which ensure that at least some of these services are authorized quickly rather than bogged down in a lengthy regulatory debate or drowned in a flood of speculative applications, both of which hampered the early years of cellular.

The Commission can assure the rapid development of additional innovative voice and data narrowband paging services only through the award of additional pioneer preferences. Given the 3 MHz of spectrum which the FCC proposes to allocate to advanced messaging services, in fact, it could award all of the applicants for a pioneers preference the spectrum they requested, still having 2/3 of the spectrum left for whatever licensing procedures the Commission ultimately adopts. See Attachment A. To put this in perspective, the thirteen pioneer preference applicants collectively would use less than 1/30 the amount of spectrum awarded a single cellular licensee. If the Commission were to award all pioneer preferences on a regional rather than national basis, say three regions, the amount of spectrum the Commission would have to license additional non-pioneer applicants would similarly expand.

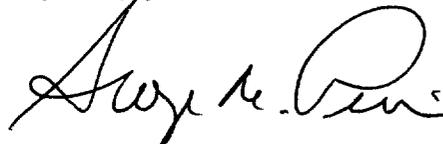
The proposal outlined above -- proceeding expeditiously with the adoption of rules and regulations governing advanced messaging services, and the consideration of grants of additional pioneer preferences for these services, is the only likely means the undersigned companies believe will achieve the introduction of a diversity of advanced messaging services to the public in any reasonable time frame. As with cellular, these services are poised to offer the public ease and diversity of communications to which they are entitled now, not years and years from now. The undersigned applicants can provide these services now, and request the Commission proceed in a manner which gives them the opportunity to do so.

Thus, we urge the Commission to separate the procedures for implementing narrowband and wideband services and to neither deny nor

Alfred C. Sikes, Chairman  
August 12, 1992  
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dismiss the remaining pioneer preference petitions, but rather to continue considering them as the NPRM proceeds.

Very truly yours,



George M. Perrin, President,  
Chief Executive Officer  
Paging Network, Inc.



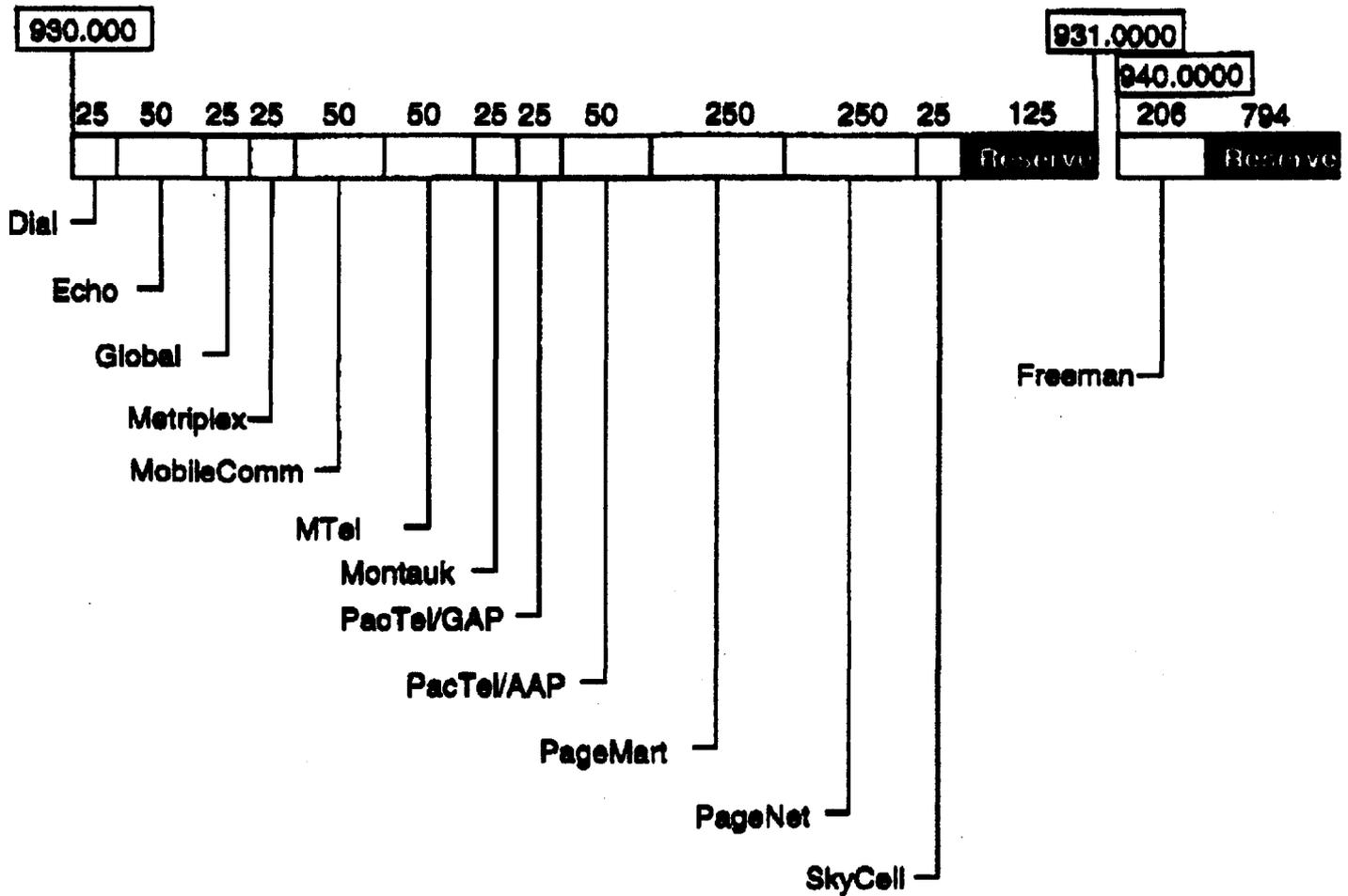
Roger D. Linquist, Chairman,  
Chief Executive Officer  
PageMart, Inc.

ATTACHMENT A

This attachment contains two different means of accommodating all pioneer preference applicants, should the Commission conclude it appropriate to do so. Case A assumes that all applicants are accommodated in the 930-931 MHz band, and the 940-941 MHz band. Case B assumes the use of portions of all three bands (930-931, 940-941, and 901-902 MHz), with the 901-902 band reserved for communications from the pager, or in other words, the reverse link.

## Channelization Plan

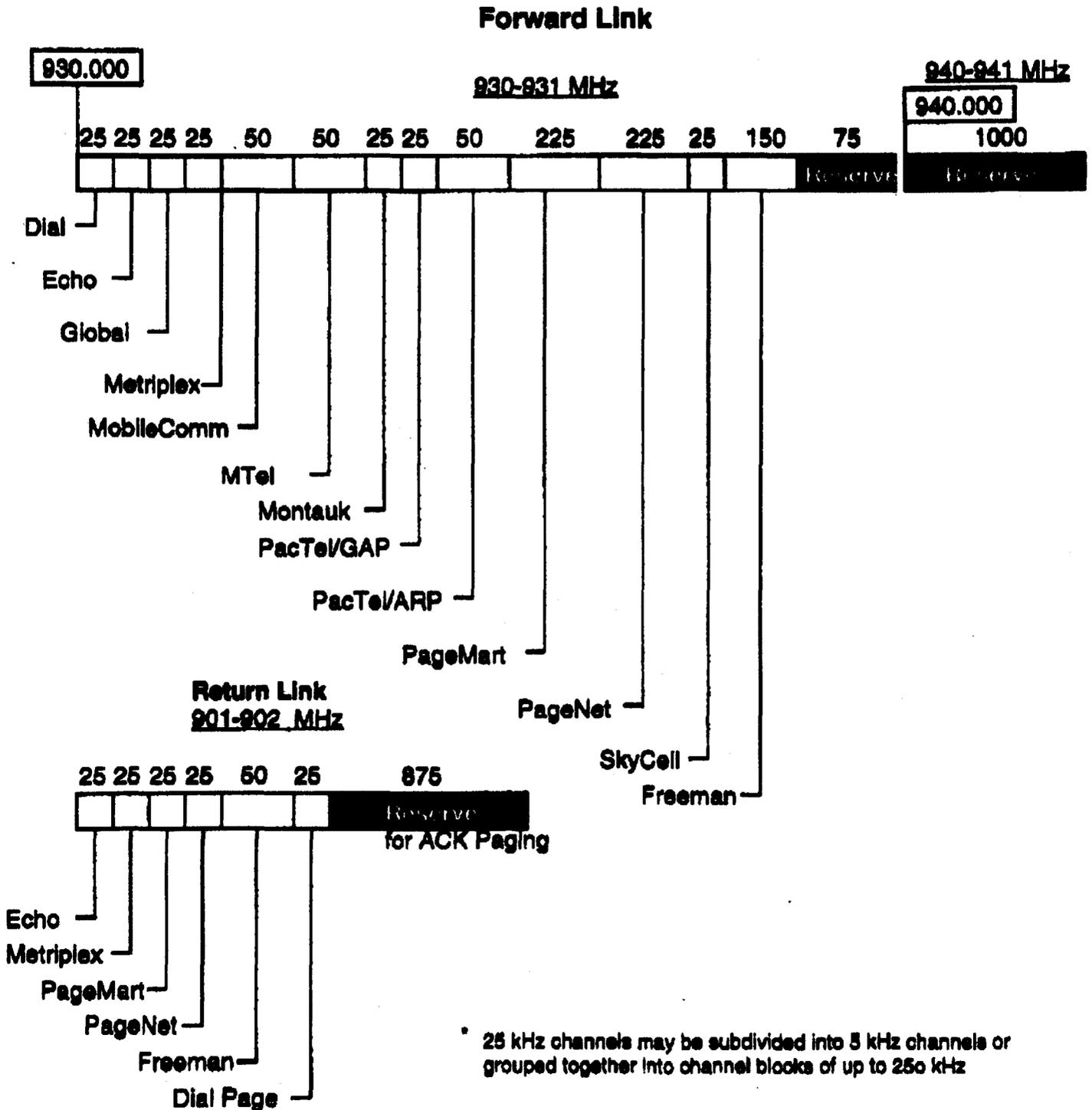
### CASE A: 930 - 931 and 940-941 MHz Bands 25 kHz Channels



\* 25 kHz channels may be subdivided into 5 kHz channels or grouped together into channel blocks of up to 250 kHz

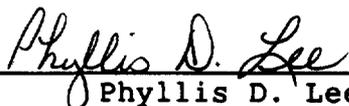
# Channelization Plan

## CASE B: 930-931, 940-941, 901-902 MHz Bands 25 kHz Channels\*



**CERTIFICATE OF SERVICE**

I, Phyllis D. Lee, hereby certify that on this 14th day of August, 1992, a true copy of the foregoing letter re Notice of Proposed Rulemaking in Docket 92-100 was mailed, first class, postage prepaid to the parties on the service list below.

  
Phyllis D. Lee

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Washington, DC 20554

Honorable James H. Quello\*  
Commissioner  
Federal Communications Commission  
1919 M Street, N.W., Room 802  
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Honorable Sherrie P. Marshall\*  
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Honorable Andrew C. Barrett\*  
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