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**PACIFIC**  **TELESIS**  
Group - Washington

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

November 30, 1992

Donna R. Searcy  
Secretary  
Federal Communications Commission  
Mail Stop 1170  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Dear Ms Searcy:

Re: *ET Docket No. 92-9 - Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies*

On behalf of Pacific Telesis Group, please find enclosed an original and six copies of its "*Petition For Clarification or Reconsideration of First Report and Order*" in the above proceeding.

Please stamp and return the provided copy to confirm your receipt. Please contact me should you have any questions or require additional information concerning this matter.

Sincerely,



Enclosures

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )  
 )  
Redevelopment of Spectrum to )  
Encourage Innovation in the )  
Use of New Telecommunications )  
Technologies )  
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\_\_\_\_\_ )

ET Docket No. 92-9 ✓  
RM-7981  
RM-8004

PETITION OF PACIFIC TELESIS GROUP  
FOR CLARIFICATION OR RECONSIDERATION  
OF FIRST REPORT AND ORDER

Pacific Telesis Group ("Telesis") strongly supports the Commission's approach to spectrum redevelopment as outlined in its First Report and Order (Released October 16, 1992). To assist the Commission in this important effort, we will be filing comments on several of the issues noted for comment on January 16, 1993. This Petition for Clarification or Reconsideration concerns the duties of an "emerging technology service provider" (hereinafter "ETS provider") to guarantee payment of all relocation costs for existing fixed microwave licensees who are required to relocate, as set forth in Paragraph 24 and in the attached Rules (Appendix A).

First, Telesis is concerned that Paragraph 24 and the Rules in Appendix A include a number of specific types of relocation costs for existing fixed microwave licensees that

must be compensated by the ETS provider, but do not include one important type of costs: the costs of removal and disposal of existing facilities. In some cases, these costs might be significant (i.e., removal and disposal of buildings, towers, and equipment on multiple sites). We suggest that the Commission clarify that the costs of removal and disposal of existing facilities are intended to be included as part of the "reasonable, additional costs that the relocated fixed microwave licensee may incur as a result of operation in a different fixed microwave band or migration to other media."

Second, there are many existing fixed microwave licensees (for example, Telesis's subsidiary, Pacific Bell) who have well-qualified technical and engineering staffs and would prefer to do relocation work "in house" rather than have it performed by outside companies whose technical qualifications may be unknown. Thus we suggest that the Commission provide such an option in subparagraphs (2) and (3) of Paragraph 24 and of the Rules in Appendix A. We suggest that this could be done by adding, at the end of the first sentences in subparagraph (2), the phrase "or must compensate the relocated fixed microwave licensee for the reasonable cost of performing these activities, if such licensee chooses to perform the activities on its own behalf." Similarly, at the end of the first sentence of subparagraph (3), we suggest adding the phrase "or must compensate the relocated fixed microwave licensee for the

reasonable cost of such building and testing, if such licensee chooses to do this work on its own behalf."

We urge the Commission to clarify the obligations of an ETS provider or to adopt these minor changes which are needed to fully protect the rights of existing fixed microwave licensees.

Respectfully submitted,

PACIFIC TELESIS GROUP



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Its Attorneys

Date: November 30, 1992