

ORIGINAL
FILE

ORIGINAL
RECEIVED

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

JAN 7 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of	)	GEN Docket No. 90-314
	)	ET Docket 92-100
Amendment of the Commission's)	
Rules to Establish New Personal	)	RM-7140, RM-7175, RM-7617,
Communications Services	)	RM-7618, RM-7760, RM-7782
	)	RM-7860, RM-7977, RM-7978
	)	RM-7979 & RM-7980

**REPLY COMMENTS OF TELOCATOR ON 900 MHz
PERSONAL COMMUNICATIONS SERVICES**

Thomas A. Stroup
Mark J. Golden
TELOCATOR, THE PERSONAL
COMMUNICATIONS INDUSTRY ASSOCIATION
1019 19th Street NW, Suite 1100
Washington, D. C. 20036

January 8, 1993

No. of Copies rec'd _____
List A B C D E

076

TABLE OF CONTENTS

I.	THE COMMISSION SHOULD ESTABLISH SEPARATE PROCEDURAL TRACKS FOR 900 MHZ NARROWBAND PCS AND 1850-1990 MHZ BROADBAND PCS	2
II.	900 MHZ NARROWBAND PCS FREQUENCIES SHOULD BE USED FOR ADVANCED MESSAGING-TYPE SERVICES	5
III.	THE COMMISSION SHOULD ADOPT OPEN ELIGIBILITY STANDARDS AND SEEK TO MAXIMIZE ENTRY OPPORTUNITIES FOR NUMEROUS AND DIFFERENT NARROWBAND SERVICES AND PROVIDERS	11
IV.	A REGULATORY FRAMEWORK WHICH ENSURES A LEVEL PLAYING FIELD FOR ALL PROVIDERS IS A CRITICAL ASPECT OF THE COMMISSION'S RESOLUTION OF THIS PROCEEDING	13
V.	NATIONWIDE AND LARGE REGIONAL SERVICE AREAS, AS DEFINED IN TELOCATOR'S COMMENTS ARE APPROPRIATE FOR NARROWBAND PCS	15
VI.	THERE IS BROAD SUPPORT FOR STRINGENT LOTTERY REFORMS TO DETER SPECULATION FOR 900 MHZ NARROWBAND PCS	16
VII.	THERE IS INDUSTRY CONSENSUS THAT THE PROPOSED TECHNICAL RULES GENERALLY PROVIDE A SOUND BASIS FOR NARROWBAND PCS	17
VIII.	CONCLUSIONS	18

RECEIVED

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

JAN 7 - 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of	)	GEN Docket No. 90-314
	)	ET Docket 92-100
)	
Amendment of the Commission's	)	RM-7140, RM-7175, RM-7617,
Rules to Establish New Personal	)	RM-7618, RM-7760, RM-7782
Communications Services	)	RM-7860, RM-7977, RM-7978
	)	RM-7979 & RM-7980

REPLY COMMENTS OF TELOCATOR ON 900 MHz

PERSONAL COMMUNICATIONS SERVICES

Telocator, the Personal Communications Industry Association, herewith submits its reply comments on the Commission's proposals to establish narrowband, 900 MHz Personal Communications Services ("PCS").¹ Twenty nine parties filed opening comments addressing 900 MHz narrowband PCS issues. While these parties addressed a range of issues, there is virtually unanimous support for the prompt and expeditious resolution of this rulemaking and licensing of narrowband PCS in the 900 MHz band. As further elaborated below, opening comments present broad consensus on many of the issues raised by Telocator in its comments. Specifically, there is overwhelming agreement that:

¹ Amendment of the Commission's Rules to Establish New Personal Communications Services, FCC 92-33 (August 14, 1992) ["Notice"]. The Notice also proposes to establish broadband Personal Communications Services in the 1850 to 1990 MHz band. Because they raise markedly different issues from those associated with narrowband services, Telocator filed separate comments on broadband PCS and 900 MHz narrowband services. Consistent with this approach, Telocator addresses only 900 MHz narrowband services in these reply comments; separate reply comments are being filed addressing broadband PCS issues.

- The 900 MHz narrowband PCS and 1850-1990 MHz broadband PCS aspects of this proceeding should be uncoupled and pursued on separate procedural tracks;
- The narrowband frequencies identified in the Notice (901-902 MHz, 930-931 MHz and 940-941 MHz) should be dealt with as a single allocation and designated for advanced messaging-type services;
- Open eligibility standards (no set asides and no exclusions) should be established for narrowband PCS licensing;
- Establishing a regulatory framework which ensures a level playing field for all messaging service providers is a critical aspect of this proceeding;
- Nationwide and large regional service areas should be established for narrowband PCS; and
- Lottery reforms are needed to deter speculation for 900 MHz narrowband PCS licenses.

Accordingly, the association urges the Commission to move promptly to a Report and Order on 900 MHz narrowband PCS. It is only through this action that the full benefit of advanced messaging services can be brought to the American public.

I. THE COMMISSION SHOULD ESTABLISH SEPARATE PROCEDURAL TRACKS FOR 900 MHZ NARROWBAND PCS AND 1850-1990 MHZ BROADBAND PCS.

Opening comments clearly demonstrate that there is both industry consensus and sound policy management reasons for separating the 900 MHz narrowband PCS and 1850-1990 MHz broadband PCS aspects of this proceeding into separate procedural tracks.²

² Telocator Comments at 4 - 6; See also: American Paging Comments at 2; Dial Page Comments at 4-5; Florida Cellular RSA Limited Partnership (Florida Cellular") Comments at 6; Freeman Engineering Associates ("Freeman") Comments at 12; Metrocall of Delaware Comments ("Metrocall") at 6-8; Mobile
(continued...)

Opening comments bear out Telocator's contention that there are several critical differences between narrowband and broadband PCS policy issues. As PacTel Paging points out, "the allocation of these frequencies does not raise the difficult issues regarding spectrum clearing and coordination with incumbent licensees that are squarely raised in the 2 GHz proceeding."³ Moreover, the relatively insignificant bandwidths associated with narrowband PCS create a significant number of entry opportunities for interested providers, thus reducing the difficulty of crafting policies which promote competitive delivery of these services. As Mtel states, "[i]n contrast, the 2 GHz band can accommodate far fewer competing systems in each market, and thus complex issues are raised relating to the appropriate market structure, the relationship between existing and proposed services, and the appropriate level of regulatory oversight."⁴ And, as Metrocall points out, unlike 1850

²(...continued)

Telecommunication Technologies Corporation ("Mtel") Comments at 2-5.; National Association of Business and Educational Radio ("NABER") Comments at 7; PacTel Paging Comments at 26; Paging Network ("PageNet") Comments at 2, Footnote 2; and Southwestern Bell Corporation Comments at 3-4.

Indeed, the only party objecting to the separation of 900 MHz narrowband issues from the consolidated docket (Arch Communications Group ("Arch") Comments at 3-4) does so solely on the basis of its view that the entire PCS proceeding should be handled as expeditiously as possible. Telocator concurs that it is imperative that the remaining issues for both broadband and narrowband PCS be decided without delay. Nonetheless, as discussed in the text, there is no basis for arbitrarily requiring that decisions on what are clearly discrete and separable service categories be linked when the nature and complexity of the issues to be addressed are so different.

³ PacTel Paging Comments at 26.

⁴ Mtel Comments at 3-4.

-1990 MHz broadband PCS discussions, "[t]he issue of new service comparability to cellular is not relevant to the 900 MHz band service discussion."⁵

The sheer number of commenters and volume of comments filed on broadband PCS, as compared to narrowband, indicate that there are far fewer and more narrowly focussed issues remaining to be resolved for 900 MHz services: only twenty nine of the one hundred and fifty six sets of comments filed in this consolidated proceeding addressed 900 MHz narrowband services even in part. These comments are, generally, much shorter than those addressing broadband PCS. Telocator concurs with Southwestern Bell Corporation's assessment that, unlike the more complicated issues associated with the 2 GHz spectrum, "the allocation of the 930-931 MHz band can be accommodated without substantial change in current policies and rules."⁶

Not only the number of issues addressed, but also the degree of contention between positions advocated in comments on 900 MHz narrowband PCS comments are much lower than for broadband services. 900 MHz narrowband PCS issues are well defined and capable of rapid resolution⁷.

⁵ Metrocall Comments at 7.

⁶ Southwestern Bell Corporation Comments at 4.

⁷ A significant part of the comments on 900 MHz narrowband services do not take issue with the proposed rules for use of the band, per se; rather they focus on individual commenter's pioneer preference requests for use of the band to provide advanced messaging services.

In short, continuing to tie broadband and narrowband aspects of this proceeding to a single, consolidated proceeding serves no public policy purpose and only perpetuates the danger that the availability to the public of narrowband services will needlessly be delayed by complications in the broadband proceeding⁸.

II. 900 MHZ NARROWBAND PCS FREQUENCIES SHOULD BE USED FOR ADVANCED MESSAGING-TYPE SERVICES.

There is broad support for dealing with all three frequencies at 900 MHz as a single allocation, designated for advanced messaging-type services⁹.

As discussed in Telocator's opening comments (and in the record on Telocator's "Advanced Messaging Services" petition¹⁰), advanced messaging services encompass a wide range of highly creative applications which go beyond paging services' current ability to alert and inform. Characteristic of such services are:

⁸ Indeed, an extension of time for reply comments in this proceeding was granted by the Commission based, in part, upon the large volume of comments filed and the complexity of the issues to be addressed. It is readily apparent that such an extension would not have been warranted if comments on 900 MHz narrowband PCS had been filed separately, rather than as a part of this consolidated docket.

⁹ See: Telocator Comments at 6. See also: American Paging Comments at 2-3; Arch Comments at 4-7; BellSouth Comments at 26; Dial Page Comments at 5-7; Freeman Comments at 4-7; Metriplex Comments at 12; Mtel Comments at 8; NABER Comments at 7-8; Pactel Paging Comments at 21; and PageNet Comments at 22-23.

¹⁰ Telocator Petition for Rulemaking to Amend Part 22 of the Commission's Rules Concerning the Use of 930-931 MHz for Advanced Messaging Services (January 23, 1991), RM-7617. See: Public Notice Rpt. No. 1836 (February 7, 1991).

digital coding and transmission techniques; higher transmission speeds; customer controlled access and interaction with transmitted information, including, in some cases, two-way messaging communications; and the capability to deliver enhanced character sets, high/low resolution graphics, E-mail, facsimile, digitized voice messages, and a full range of data products to miniaturized personal receivers. The 900 MHz frequencies allocated in this proceeding for narrowband PCS are ideally suited to and sorely needed for such applications.

The Commission wisely and appropriately proposes a flexible regulatory framework for narrowband PCS, as opposed to rigid definitions or restrictions on the kinds of services carriers are permitted to offer. As the Commission itself¹¹ and several commenters¹² recognized, such a flexible approach allows advanced technologies and services to develop robustly, and yields substantial consumer benefits. As discussed in Telocator's opening comments, however, two-way, real time voice communications (such as advanced cordless telephone operations) are clearly inappropriate for inclusion in the narrowband PCS allocation¹³.

¹¹ Notice at para. 2.

¹² See: Telocator Comments at 7. See also: Metrocall Comments at 8-9; Mtel Comments at 5; and Southwestern Bell Comments at 7-8;

¹³ Telocator Comments at 7-8; See also: American Paging Comments at 3; Metrocall Comments at 9-10; and NABER Comments at 7-8.

A small minority of commenters seek to use the 900 MHz narrowband PCS spectrum for services which clearly fall outside of advanced messaging-type applications or the definition of PCS, generally. While these service proposals may have merit, they are unrelated and contrary to the purposes for which the Notice allocates this spectrum. For this reason, they should be rejected. Specifically, and as set out below, proposals by the American Petroleum Institute, Corporate Technologies Partners, and In-Flight Phone Corporation for non-messaging applications in 900 MHz narrowband PCS spectrum should not be approved.

American Petroleum Institute ("API") had earlier proposed to use the spectrum allocated by the Commission for narrowband PCS for emergency response communications for Industrial/Land Transportation eligibles¹⁴. As noted above, the record in this proceeding, as well as comments on Telocator's original petition to use 900 MHz spectrum for Advanced Messaging Services¹⁵ clearly demonstrate the need for spectrum in order to implement advanced messaging services and the appropriateness of the 900 MHz band for this purpose. The allocation of 900 MHz spectrum for narrowband PCS proposed in the Notice is a sound and reasonable decision which is overwhelmingly validated in the record. Large private users, such as the API, already have access to spectrum for their

¹⁴ See: API Comments at 38-53 and Exhibit E to the Notice of Inquiry, GEN Docket No. 90-314, 5 F.C.C.R 3995 (1990).

¹⁵ See: Comments in RM-7617.

specialized and individualized needs; if additional spectrum is, indeed, required, it should be sought outside the narrowband PCS spectrum.¹⁶

Similarly, Corporate Technology Partner's ("CTP") proposal to use 930-931 MHz and 940-941 Mhz as control channels micro-cell PCS and 930-960 MHz generally for CT-2 type services¹⁷ should be rejected. CT-2 type services (e.g., advanced cordless telephones) are more appropriately deployed in the 1850-1990 MHz broadband allocation. No party contests that three, non-contiguous MHz of spectrum is inadequate and inappropriate for CT-2.¹⁸ The inadequacy of the three MHz available in this proceeding for CT-2 type services is further evidenced by CTP's own proposal to drastically expand the Notice's allocation to incorporate 930-960 MHz generally for voice channels¹⁹, a proposal which is clearly impractical and should be rejected. As regards CTP's proposed use of 930-931 MHz and 940-941 MHz for control channels, Telocator argued in its opening comments and the Commission has already

¹⁶ As API itself notes, "[t]he Commission's refarming proposals in Docket No. 92-235 present an excellent opportunity for the Commission to accommodate these needs." API Comments at 25-26.

¹⁷ CTP Comments at 10.

¹⁸ See., eq., Reply Comments of GEC Plessey Telecommunications Ltd at 45 in the Notice of Inquiry, GEN Docket No. 90-314, 5 F.C.C.R. 3995 (1990): "An allocation of less than four contiguous Megahertz will reduce the operating capacity of CT-2 equipment to 27/40ths of its optimal capacity." Reply Comments of Motorola at 132, in the Notice of Inquiry, GEN Docket No. 90-314, 5 F.C.C.R. 3995 (1990): "The three disparate MHz at 900 MHz mentioned as candidate spectrum are inadequate for a viable U. S. CT-2 type of service."

¹⁹ CTP Comments at 10.

tentatively concluded that this spectrum should not be used as "support spectrum" for PCS²⁰.

Finally, the proposal by In-Flight Phone Corporation ("In-Flight") to use the 900 MHz band for live audio news, information and entertainment service to customers in transit on airplanes²¹ should be rejected. As Telocator stated in its formal opposition to In-Flight's pioneer preference request, such entertainment services are clearly inconsistent with the Commission's objective of promoting innovative data and voice messaging services in the 900 MHz narrowband PCS spectrum²². When originally submitted to the Commission, In-Flight itself characterized its proposed offering as a "broadcast retransmission service."²³ Now that broadcast services are specifically excluded from the Commission's definition of PCS,²⁴ In-Flight contradicts their earlier and repeated description of their own proposal, and argues that

²⁰ See: Telocator Comments at footnote 8. See also: Metrocall Comments at 5.

²¹ Comments of In-Flight at 2-3.

²² See: Formal Opposition of Telocator in the Matter of In-Flight Phone Corporation, Application for a Pioneer's Preference to Operate a Live Audio News, Information and Entertainment Service for Airline Passengers on the 901-902 MHz and 940-941 MHz Bands, ET Docket 92-100, PP-_____ (December 21, 1992) at 4-6.

²³ See: Amendment of the Commission's Rules to Allocate 500 KHz of the General Purpose Mobile Radio Service for a Live News, Weather, and Sports Network for Airline Travelers, Petition for Rulemaking (filed September 6, 1991, dismissed without prejudice October 1991).

²⁴ Notice at para. 30.

enabling airline passengers to receive retransmissions of live, audio broadcasts does not constitute a broadcast service.²⁵ Notwithstanding In-Flight's attempt to re-characterize the service it proposes to offer, such paid programming is clearly outside the admittedly and purposefully broad family of services which the Commission includes under the definition of PCS²⁶. Such a broadcast retransmission service is fundamentally different from the mobile services which are commonly understood when discussing personal communications services, generally: offerings which enable individuals to communicate with each other independent of location. Further, In-Flight's proposal is unquestionably inconsistent with the narrowband advanced paging, messaging and data services for which the frequencies at 900 MHz have been specifically allocated.²⁷ Other spectrum alternatives exist for broadcast programming services, such as the one proposed by In-Flight. Telocator renews its opposition to using 900 MHz narrowband PCS frequencies for such an unrelated purpose.

²⁵ Reply of In-Flight Phone Corporation to Opposition of Telocator (December 22, 1992).

²⁶ Notice at para. 29.

²⁷ Notice at para. 48-49.

III. THE COMMISSION SHOULD ADOPT OPEN ELIGIBILITY STANDARDS AND SEEK TO MAXIMIZE ENTRY OPPORTUNITIES FOR NUMEROUS AND DIFFERENT NARROWBAND SERVICES AND PROVIDERS.

The existing paging industry is an outstanding example of the benefits to consumers and the American economy of a regulatory regime which favors competition rather than comprehensive regulation of mobile services. The American public today has a wide range of options available to them in the traditional paging market: there is a large number of services and providers to choose from, and this competition ensures that the price to consumers is at the lowest appropriate level.

Building upon this success, the Commission's rules and policies for narrowband PCS should maximize entry opportunities for numerous and varied services and providers, and should not discourage or impede the participation of any qualified applicant in the narrowband PCS market. The marketplace and consumer demand should determine the precise nature and source of messaging services ultimately offered over the narrowband spectrum.

Opening comments in this proceeding overwhelmingly support the flexible regulatory policies proposed in the Notice as an important means to this end. Comments, and the specific service proposals of the various narrowband PCS aspirants, further demonstrate that the three MHz allocated in the 900 MHz band for narrowband PCS can support multiple providers and a diverse range of narrowband services. Numerous commenters joined Telocator in urging that, in establishing specific channelization plans for this spectrum, the

Commission should seek to maximize entry opportunities for numerous and different narrowband services and providers²⁸. There is general consensus that asymmetrical channel bandwidths for some of the services which require paired channels in order to provide two-way communications would be appropriate and enhance spectrum efficiencies.²⁹

Further, opening comments demonstrate that there is broad support for open eligibility standards for narrowband PCS licenses: the Commission should neither guarantee nor exclude any qualified applicant from acquiring narrowband PCS licenses. Specifically, opening comments support Telocator's opposition to limitations on cellular³⁰ and Local Exchange Carrier³¹ telephone company eligibility to compete for narrowband PCS licenses.

Finally, UTC's proposal to reserve 1 MHz of narrowband PCS spectrum for non-commercial, internal use by traditional private

²⁸ See: Telocator Comments at 8-9. See also: Dial Page Comments at 6; Metrocall Comments at 5; Mtel Comments at 8; Motorola Comments at 19-21;

²⁹ Telocator Comments at 8-9. See also: Dial Page Comments at 7; Freeman Comments at 4-5; Motorola Comments at 20; PacTel Paging at 21 and Attachment 2; PageMart Comments at 7; and PageNet Comments at 12-13.

³⁰ See: American Paging Comments at 3; Florida Cellular Comments at 9-10; Freeman Comments at 11; Mtel Comments at 10; Nynex Corporation Comments at 19-21; PacTel Paging Comments at 28; PageNet Comments at 23; and Utilities Telecommunications Council ("UTC") Comments at 33.

³¹ See: American Paging Comments at 3; Freeman Comments at 8 (provided that reasonable, cost-based interconnection requirements are adopted.); Mtel Comments at 10; PacTel Paging Comments at 28; PageNet Comments at 23; and UTC Comments at 34 (assumes safeguards).

radio eligibles³² should be rejected. Such a licensing preference is unnecessary and inappropriate. It constitutes an unwarranted set aside and, as such, would limit the number and range of participants in narrowband PCS. Moreover, the use of the spectrum for private, internal purposes, as proposed by UTC, is contrary to the Commission's intention in this proceeding to "ensure that all mobile services are provided . . . to the greatest number of consumers."³³ PCS generally, and narrowband PCS specifically are aimed at a broad public market; this market will not be fully served without the proposed allocation.

IV. A REGULATORY FRAMEWORK WHICH ENSURES A LEVEL PLAYING FIELD FOR ALL PROVIDERS IS A CRITICAL ASPECT OF THE COMMISSION'S RESOLUTION OF THIS PROCEEDING.

As Telocator has argued in this and other mobile services proceedings, it is a fundamental position of the association that like services, competing in the marketplace for the same customers, should be subject to the same regulatory conditions.

Given the existing disparities between common and private carrier regulation³⁴, narrowband PCS licensees require the

³² UTC Comments at 30.

³³ Notice at para. 6.

³⁴ Telocator notes that this disparity was further exacerbated by the United States Court of Appeals for the D. C. Circuit's decision on November 13, 1992, in AT&T v. FCC. This action struck down the FCC's longstanding "tariff forbearance" policy for non-dominant common carriers, and may create an obligation for certain common carrier paging and narrowband PCS providers to file Federal tariffs.

flexibility to operate under the regulatory terms and conditions which make the most business sense in their particular market situation. In furtherance of this goal, Telocator has advocated that narrowband PCS licensees should be allowed to self-designate as either private or common carrier services.³⁵ (Carriers would be bound to operate under the rules appropriate to which ever designation they elected in their application for license.) Other commenters³⁶ have joined Telocator in urging that the Commission take this approach.

In addition, there is overwhelming support for the Commission's tentative decision that narrowband PCS providers, regardless of regulatory status, should have equal rights to interconnection with the public switched telephone network³⁷.

³⁵ See: Telocator Comments at 16.

³⁶ See: Metrocall Comments at 19-21; Mtel Comments at 5-6; NABER Comments at 3-5; and PageNet Comments at 26. NABER's recommendation that "the Commission permit the PCS providers a choice as whether the system will be operated on a private carrier or a common carrier basis" (NABER Comments at 5) is significant: the association had previously advocated a division of channels between common carriers and private carriers. (See: NABER Comments in RM-7617, Public Notice Rpt No. 1836 (1991))

³⁷ See: Telocator Comments at 16-17. See also: Florida Cellular Comments at 12; Freeman Comments at 7-8; Metrocall Comments at 19; NABER Comments at 5-6; PageNet Comments at 29; SBA Comments at 28; and UTC Comments at 39-40.

V. NATIONWIDE AND LARGE REGIONAL SERVICE AREAS, AS DEFINED IN TELOCATOR'S COMMENTS ARE APPROPRIATE FOR NARROWBAND PCS.

Opening comments bear out the Commission's tentative conclusion³⁸ that national and regional licenses for narrowband PCS are needed.

National licenses for narrowband PCS were advocated by a wide range of industry participants³⁹. These parties noted, as did Telocator, that the nature and size of the market and the cost of deploying a large regional or nationwide narrowband PCS system are substantially different than in the case of broadband PCS. Paging and advanced messaging services such as those proposed for narrowband PCS spectrum are inherently wide area markets. They are implemented using transmitters with large coverage areas, as opposed to the micro-cell technology characteristic of 1850-1990 MHz broadband PCS. Moreover, there will be significantly more entry opportunities in narrowband PCS than for broadband services. For these reasons, the drawbacks which make national licenses inappropriate in the 1850-1990 MHz broadband PCS context are not valid in the context of 900 MHz narrowband PCS.

Telocator presented in its comments a plan for five, large regional service areas, derived from current, wide area paging service areas and those proposed by 900 MHz pioneer preference

³⁸ Notice at paragraph 62.

³⁹ See: Telocator Comments at 10-11; See also: American Paging Comments at 5; Ericsson Corporation Comments at 26; Freeman Comments at 8-9; Metriplex Comments at 12; Mtel Comments at 14 and Appendix; Motorola Comments at 21; Pagemart Comments at 10; and PageNet Comments at 9.

petitioners⁴⁰. Telocator's regional plan was explicitly supported by some commenters⁴¹. In addition, many commenters who did not advocate any specific regional scheme did argue for regional service areas in size, scope and number consistent with Telocator's specific proposal⁴².

Further, there is clear consensus that exclusively local licenses are not needed for 900 MHz narrowband services⁴³.

VI. THERE IS BROAD SUPPORT FOR STRINGENT LOTTERY REFORMS TO DETER SPECULATION FOR 900 MHZ NARROWBAND PCS.

Opening comments clearly demonstrate support for lotteries as the most appropriate available means for selecting narrowband PCS licensees⁴⁴. Many commenters joined Telocator in advocating strengthening lottery procedures by employing strong, front end

⁴⁰ See: Telocator Comments at 12-13 and Attachment A.

⁴¹ See: American Paging Comments at 5; Dial Page Comments at 8-9; Freeman Comments at 8-9; and Metrocall Comments at 25.

⁴² See: Arch Comments at 8; Ericsson Corporation Comments at 26; Motorola Comments at 22; PacTel Paging Comments at 14-15; and PageNet Comments at 9.

⁴³ See: Telocator Comments at 11. See also: Dial Page Comments at 7-8; Freeman Comments at 9; Metrocall Comments at 25; Motorola Comments at 21; PageNet Comments at 9; United States Small Business Administration ("SBA") Comments at 19-21; and UTC Comments at 33.

⁴⁴ See: Telocator Comments at 14. See also: American Paging Comments at 6; Arch Comments at 10-11; Dial Page Comments at 7; Florida Cellular Comments at 12-13; Freeman Comments at 10; Metrocall Comments at 14-17; NABER Comments at 9; PacTel Paging Comments at 33 ff.; PageMart Comments at 11; SBA Comments at 24; and UTC Comments at 35 and 37.

qualifiers to deter insincere applicants for narrowband PCS authorizations⁴⁵.

Focusing on lotteries, strengthened and improved through stringent anti-speculation safeguards, as the method of licensing narrowband PCS is the best means to ensure that there are no delays in the licensing process and will speed deployment of service to the public.

VII. THERE IS INDUSTRY CONSENSUS THAT THE PROPOSED TECHNICAL RULES GENERALLY PROVIDE A SOUND BASIS FOR NARROWBAND PCS.

There is broad consensus that the Commission's proposed power, height and interference rules for 900 MHz narrowband PCS⁴⁶ provide a good starting point for industry developed technical rules for use of the 930-931 MHz and 940-941 MHz bands⁴⁷.

⁴⁵ See: Telocator Comments at 14-15. See also: American Paging Comments at 6-7; Dial Page Comments at 8-9; Metrocall Comments at 14-17; NABER Comments at 9; Pactel Paging Comments at 35-38, 46-47, 48, 52-55; SBA Comments at 25-26; and UTC Comments at 35-36.

⁴⁶ Notice at paragraph 125.

⁴⁷ See: Telocator Comments at 17-18. See also: Arch Comments at 14; Freeman Comments at 11; Mtel Comments at 7; Motorola Comments at 22; and Pactel Paging Comments at 28. Telocator reiterates its view that the same power, height and interference rules proposed for nationwide licenses should also apply to regional systems.

There is also broad agreement that 901-902 Mhz should be limited to low power usage, to protect such services from interference⁴⁸.

VIII. CONCLUSIONS

The Commission's Notice provided an important step forward in bringing the promise of Advanced Messaging Services to the public. With its opening comments, Telocator outlined additions and refinements to the proposed regulatory framework. Telocator's recommendations, as demonstrated in these reply comments, are broadly supported by the industry.

The Commission now has before it the record and information which are needed to bring the proceeding, as it relates to 900 MHz narrowband services, to a swift conclusion. Telocator urges the Commission to move expeditiously to ensure that the next generation

⁴⁸ See: Telocator Comments at 18. See also: Dial Page Comments at 7; Freeman Comments at 11; Metriplex Comments at 12; Mtel Comments at 7-8; and NABER Comments at 8.

of advanced, wireless messaging services can be made a reality for American consumers without delay.

Respectfully submitted,

**TELOCATOR, THE PERSONAL
COMMUNICATIONS INDUSTRY ASSOCIATION**

A handwritten signature in black ink, appearing to read 'T. A. Stroup', is written over a horizontal line.

Thomas A. Stroup
Mark J. Golden
TELOCATOR, THE PERSONAL
COMMUNICATIONS INDUSTRY ASSOCIATION
1019 19th Street NW, Suite 1100
Washington, D. C. 20036

January 8, 1993