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

MAR 16 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:)
)
Amendment of Part 21 of the)
Commission's Rules for the Domestic)
Public Fixed Radio Services)

CC Docket No. 93-2 ✓

COMMENTS OF THE
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION

The National Telephone Cooperative Association ("NTCA") submits these Comments pursuant to the Notice of Proposed Rulemaking, FCC 93-5, released on February 9, 1993. The Commission is proposing revision of Part 21 of its Rules to allow applicants that satisfy certain requirements to begin construction of Point-to-Point Microwave Radio Service (PPMS) facilities upon filing an application for a license, using FCC Form 494, and to eliminate the use of certain forms required of all Part 21 applicants.

NTCA is a national association of approximately 500 small local exchange carriers ("LECs") providing telecommunications services to interexchange carriers and subscribers throughout rural America. Its members are common carriers that hold, or are eligible to receive, PPMS licenses authorized to be issued under Part 21 of the Rules. NTCA members who are licensed carriers use PPMS in connection with landline and cellular service and have an interest in the revision to allow construction prior to licensing, as well as the simplification of forms required by Part 21.

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PPMS applicants are currently required to obtain authorization prior to commencing construction of proposed facilities. 47 C.F.R. § 21.3. The revision is proposed to address changes in the market for telecommunications services and reduce regulatory burdens and unnecessary costs, some of which are due to delays in construction pending license authorization.

The Commission believes that the introduction of competition among various types of telecommunications services, the increasing demand for microwave services and the need to coordinate PPMS facilities with construction projects for cellular, satellite, or other telecommunications services warrant changes to prevent incurring additional construction costs and delays which may hinder the ability of PPMS providers to compete to satisfy requirements. NPRM ¶ 3. NTCA agrees with this assessment and supports the Commission's efforts to revise and simplify the Rules.

The public will benefit from revisions which reduce construction costs and speed the delivery of services while safeguarding the public's interest in preventing potentially wasteful or hazardous construction. Although applicants engaging in pre-authorization construction will assume some financial risks as a result of the revision, the existence of competition in telecommunications markets should prevent wasteful construction.

In addition, the public interest in safety and the environment is safeguarded by the limitations which prevent

construction prior to licensing in the following cases: where mutually exclusive or contested applications are pending; where the Federal Aviation Administration notice and permit requirements have not been fulfilled; where Commission determination as to antenna structure marking and lighting specifications have not been received; or where threshold environmental determinations have not been made.

The public will also benefit by the Commission's efforts to reduce the number of forms required of applicants. There is obviously no need to have applicants file new forms with duplicative information. NTCA supports elimination of unnecessary forms and commends the Commission for reducing regulatory burdens on applicants.

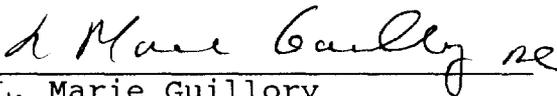
CONCLUSION

In view of the fact that the proposed changes will enable applicants to more quickly provide radio services and other telecommunications services requiring interconnection with radio services and reduce unnecessary regulatory burdens, NTCA supports the revision of Part 21 which would allow certain applicants to begin construction upon filing an application for a license to provide Point-To-Point- Microwave Service.

Respectfully submitted,

NATIONAL TELEPHONE COOPERATIVE
ASSOCIATION

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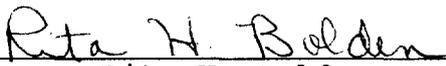
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March 16, 1993

CERTIFICATE OF SERVICE

I, Rita H. Bolden, certify that a copy of the foregoing Comments in CC Docket No. 93-2 of the National Telephone Cooperative Association was served on this 16th day of February 1993, by first-class, U.S. Mail, postage prepaid, to the following persons on the attached list:



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