

**VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS  
(STATE AND FEDERAL)**

---

- Because mobile carriers can interconnect through the local exchange, have no bottleneck control, and have no incentive not to offer reasonable interconnection terms if requested, requiring CMSs to offer interconnection is unnecessary. (11-12)
- If the FCC does require CMSs to offer interconnection, it should preempt state rate and technical regulation of such interconnection and it should ensure safeguards are available to carriers to ensure services are not degraded due to interconnection. (12-14)

**NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE****I. IDENTITY AND INTEREST OF THE COMMENTER**

- New York State Public Utilities Commission.

**II. DEFINITIONS****B. Commercial Mobile Service**

- "For profit" should be defined as whether the service as a whole is offered on a commercial basis, not whether interconnection alone is provided for profit, and thus NYDPS would exclude government and non-profit public safety services operating systems solely for their own internal use. (4)
- In determining whether a service is "interconnected," the FCC should focus on the service being offered to end users and not on the technology used; a service is interconnected if it provides subscribers with the ability to access the public switched network for purposes of sending or receiving messages to or from points on the network. (5-6)
- "Public switched network" should refer to the local and interexchange common carrier switched network, whether by wire or radio, and thus should include all future networks. (6)
- "Service available to the public . . ." should include services offered to the public without restriction as well as services that are arguably intended for a substantial portion of the public, regardless of eligibility restrictions, since this definition would avoid incentives to impose eligibility restrictions, is consistent with Congressional intent, and addresses the Commission's concern about systems with limited capacity (first-come, first-served is CMS). (7)

**C. Private Mobile Service**

- The "functional equivalence" test should be interpreted consistent with Congressional intent to bring services that are the functional equivalent of CMS within the definition of CMS. (8)

**III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- Paging services should be deemed "interconnected" and therefore CMS. (6)

**V. REGULATORY CLASSIFICATION OF PCS**

- PCS providers should be able to offer either CMS or private services, but the FCC should favor CMS now as it meets existing public needs better at this time. (9)
- PCS providers should not be permitted to change classifications in mid-stream; and move to do so should require reopening bidding for the license. (2)

**VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- It is crucial for the FCC to distinguish between dominant and nondominant carriers, since the same concerns that apply in the wired marketplace, where such distinctions exist, also apply in the wireless market. (10)
- It is premature to forbear from tariff regulation, since procedurally state petitions to extend rate regulation "must be de novo reviewed" and, since PCS licenses have not been awarded, a decision to forbear from regulating would only be applicable to existing carriers. (11)

**VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- The authority to preempt state regulation under 332 does not extend to interconnection rates, since the language on interconnection does not expand or contract the FCC's existing authority derived from Section 201, which does not allow preemption in this area. (11-13)
- Preemption of state regulation of interconnection rates would be contrary to public policy since it would allow mobile carriers unfettered discretion to set their own termination charges and would allow dominant carriers to act anticompetitively to favor affiliated interests. (14)

**VIII. PREEMPTION OF STATE REGULATION OF CMS PROVIDERS**

- To preempt state regulation, the FCC must be satisfied that consumers in a telecommunications market have the ability to choose among CMSs offered by several firms and no firm or combination thereof has the ability to control the market prices of those services. (15-16)

**NEXTEL COMMUNICATIONS, INC.****I. IDENTITY AND INTEREST OF COMMENTER**

- Licensee of SMR systems at 800 and 900 MHz.

**II. DEFINITIONS****B. Commercial Mobile Service**

- excludes services not primarily offered on a for-profit basis, such as government, non-profit public safety, and solely internal uses. (7-8)
- Examine on "service as a whole" basis in terms of functionality from customer viewpoint. (8)
- Shared and multiple-licensed systems, including those managed by a for-profit manager, and private licensees selling excess capacity generally should not be classified as "for-profit" CMS. (8-9 n. 12-14)
- Interconnected service includes mobile services that provide subscribers with the ability on a real-time basis to directly initiate and receive messages to and from other parties through the PSN. (10)
- Key is capability to access subscribers to other landline or wireless systems through the PSN, not mere physical interconnection. (10)
- Mobile service offering subscribers "dial tone" enabling direct dialing of any number accessible through the PSN is an interconnected service. (10)
- Does not disagree with proposal to define PSN as equal to PSN, but urges the Commission to consider defining PSN to include any service, landline or wireless, offered on a co-carrier basis to enhance or extend local exchange or interexchange facilities. (11)
- Also suggests that the definition of interconnection encompass the capability to reach subscribers using the North American numbering plan. (11 n. 18)

- Services available to the public include offerings without restriction and services with eligibility restrictions that are effectively available to the public at large. (12)

**C. Private Mobile Service**

- Traditional private services targeted to limited or specialized user groups, and systems with limits on capacity and geographic coverage, which are not "functionally equivalent," are not CMS. (12)
- Test of functional equivalence encompasses both interpretations discussed in the Notice, i.e., regardless of whether an entity satisfies the literal definition of CMS, it should be classified as a CMS if it is the functional equivalent thereof. (13-14)

**III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- Supports Commission's proposed classification of existing non-profit and profit private services. (14)
- Individual, dispatch-only SMR system that is not part of a wide area advanced technology network is not functionally equivalent to CMS and may be private; all SMR services provided pursuant to 800 and 900 MHz wide-area networks are CMS. (14-15)
- Wide-area licensees providing services competitive with CMS, from customers' viewpoint, are functionally equivalent to CMS. (15-16)
- All paging is CMS. (16-17)
- Unfair and inconsistent with Act to eliminate dispatch prohibition during statutorily mandated transition period for private carriers subject to reclassification. Recommend deferring issue to rule making after three-year transition period. (18-19)

**IV. REGULATORY PARITY**

- Congress's overriding intention was that substitutable or "like" mobile services be regulated similarly. (5)

**V. REGULATORY CLASSIFICATION OF PCS**

- Legislative history demonstrates that PCS is purely CMS; no suggestion that some PCS could be private. (17)
- Forbearance authority and authority to establish different levels of regulation for different providers offer sufficient flexibility for PCS diversity. (18)

**VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- New legislation authorizes creating classes of CMS and promulgation of different regulations for such classes and for individual service providers within a class. (20)
- Supports forbearing from applying Sections 203, 204, 205, 211, and 214 from CMS. (21)
- Because reclassified private carriers lack market power, Commission should forbear from applying Sections 201, 202, and 208 as well to these providers. (21-22)
- Commission should adjust Title II regulatory mix to ensure that new entrants have an opportunity to become effective competitors. (22)
- Safeguards should be applied to protect against discrimination and cross-subsidization. (23-24)

**VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- Supports proposals to preempt state regulation of right to intrastate interconnection and right to specify type available to CMS. (24-25)
- Should also preempt rate regulation of LEC interconnection. Lack of preemption subjects mobile carriers to multiple state regulatory requirements and proceedings. If not done now, right to preempt should be preserved. (25-26)

**NORTH PITTSBURGH TELEPHONE COMPANY****I. IDENTITY AND INTEREST OF THE COMMENTER**

- Small local exchange carrier in western Pennsylvania. (1)

**III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- IMTS is an old technology which can serve only a small number of customers (currently only 12 in an area of 50,000), and the development of cellular service has made IMTS viable for only a short period of time. It should be classified as a private mobile service. (1-2)
- IMTS service is not unlike small SMR operation with respect to restrictions on classes of users, system capacity, and service area size. Treating it as a CMS will only hasten its demise. (2)

NYNEX CORPORATION**I. IDENTITY AND INTEREST OF COMMENTER**

- Regional Bell Operating Company.

**II. DEFINITIONS****A. Mobile Service**

- Supports proposal to include all existing mobile services within the ambit of Section 332. (4)

**B. Commercial Mobile Service**

- Definitions should be applied on a service-by-service basis. (4)
- "For-profit" includes those licensees that provide services to customers with the intent of receiving a return on capital outlay or expenditures. Analysis is identical to IRS test used to determine appropriateness of tax exempt status. (4)
- Agrees with the Commission that public safety mobile services and internal uses are not for profit. (4)
- For profit determination should be based on service as a whole. Cautions against a rule that bases classification on identity or character of the service provider. Should instead focus on the service itself because some users will offer both profit and non-profit services. (4-6)
- "Interconnected service" prong should focus on services as a whole as viewed from the customer's perspective. (7)
- "Interconnected service" should turn on whether the customer has control over access to other networks. This prong should, therefore, be defined as the ability of the customer to routinely direct calls "off-net" or to a termination point or points outside the subscriber's mobile radio service network. Services with limited customer access (i.e., within their own mobile radio service network) would not be deemed to be interconnected services. (7)

- System configuration is irrelevant to interconnected service; interconnected service therefore includes services that are interconnected directly to the PSN or interconnected indirectly through PBXs or other devices. (8)
- Commission should define "PSN" as including mobile systems, the LEC PSTN, and a landline network operated by an alternative provider. (9)
- "Availability" prong should rely on whether a service is offered indiscriminately as a general public service. Practical availability is an indication of the licensee's intent to make the service available without restriction. Under this approach, a service offered throughout the BTA or MTA without restriction would be "effectively available." (10)
- System capacity should not be a factor under the availability prong because it requires examination of the technology rather than focus on the service itself. (11)

**C. Private Mobile Service**

- Supports interpretation of "functional equivalence" test that would exclude from the definition of private mobile service any service that satisfies the criteria for CMS as well as any service that is the "functional equivalent" of a CMS. (12)
- NYNEX urges the Commission to refrain from using the technological test described in the Conference Report. NYNEX is of the view that the use of a particular technology is a poor indicator of whether service is commercial or private. "Like services" type analysis more appropriately focuses on the nature of the service and the customer's perception of functional equivalence. (13)

**III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- ESMRs and wide-area SMRs should be classified as CMS; other SMRs will vary depending on the definitional criteria adopted by the Commission (15 n. 18)

- Most PCPs should be classified as private because the store-and-forward nature of these systems is not "interconnected service." (15)
- Regulatory regime must be flexible enough to allow existing common carriers to be classified as private if appropriate. (16)
- Urges the Commission to eliminate the dispatch prohibition, and to eliminate other eligibility restrictions such as the wireline SMR prohibition, as well. (16 n. 21)
- NYNEX supports the Commission's tentative conclusion that existing procedures should continue to apply to satellite services offered directly to end users. (17)

**V. REGULATORY CLASSIFICATION OF PCS**

- Public will be served by adoption of a regulatory scheme that permits PCS providers to offer both private and commercial service. (17)
- NYNEX supports granting all mobile service providers, including PCS, the flexibility to offer services on a primary and secondary basis or on a channel-block basis. (17-18)
- To simplify associated administrative burdens, the Commission may consider adopting a rule to the effect that PCS services will generally be considered CMS, and that licensees wishing to offer private services on their PCS spectrum may do so upon the filing of an application outlining the proposal. (18)

**VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- Agrees with the Commission's tentative conclusion that the CMS marketplace is sufficiently competitive to warrant forbearance to fullest extent possible. (19-20)
- Does not oppose application of Sections 206, 207, 216, 217, 223, 225, 226, 227 and 228 to provide consumers some protection against possible carrier abuses. (21)
- Imposition of "safeguard requirements" on dominant carriers is unnecessary and inappropriate. (21)

000080

- Existing structural separation requirements for BOCs and their cellular operations should also be eliminated as unnecessary. (22)

WILEY, REIN & FIELDING

**PACIFIC BELL AND NEVADA BELL****I. IDENTITY AND INTEREST OF THE COMMENTER**

- Bell Operating Companies

**II. DEFINITIONS****A. Mobile Service**

- All mobile services, including services in Part 22, Part 25, Part 90, Part 80 and 87, Part 95, and PCS services under proposed Part 99, should be included in the definition of mobile services. (2)

**B. Commercial Mobile Service**

- Services under Subparts B and C of Part 90 and businesses that operate mobile radio systems solely for their own internal use are not commercial services under the "for-profit" test. (4)
- If any part of the service is for-profit, then the entire service should be treated as for-profit. (4)
- If licensees who operate an internal system sell excess capacity, they should not remain a private mobile service. Shared systems should only be allowed if they are operated on a non-profit basis with all costs equally divided among the users. (4)
- A licensee that manages a shared system on a for-profit basis should be regulated as a CMS provider. (4)
- Interconnection should include an entity that: 1) makes use of the numbering resources of the North American Numbering Plan or 2) has access through a gateway to signalling for call or non-call data that supports the PSN or 3) has access to national databases that support the PSN. (6)
- A real-time link should not be relevant in determining interconnection. The critical factor is whether the customer is in communication with someone on the PSN. (6)

- Even services available to only a narrow class of users should be considered a service available to the public. (7)
- System capacity, whether a service is offered indiscriminately or through individual negotiation, and service area size and location should not be considered factors in determining whether a service is available to a substantial portion of the public. (8)

**C. Private Mobile Service**

- A mobile service provider offering service on a for-profit basis to a user who is not affiliated with the licensee nor a member of its affinity group is a CMS provider. This standard allows competing services to be regulated similarly. (7)

**III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- Part 90 services, including SMRs, should be CMS. (10)
- All mobile service providers offering for-profit service even to narrow segments of the public should be regulated as CMS providers. (10)
- CMS providers should be allowed to offer dispatch services. (11)
- PCPs should be classified as CMS. (11)
- Private and commercial services can be offered in the same frequency band, but they should be provided under separate licenses. A mobile service provider offering any commercial service should be classified as a CMS provider. (12)

**IV. REGULATORY PARITY**

- All mobile service providers should be regulated similarly. Since there will be significant competition in the mobile services market, there is no justification for handicapping certain providers with greater regulatory burdens from the start. (16)

**V. REGULATORY CLASSIFICATION OF PCS**

- All licensed PCS services should be regulated as commercial services. (14)

**VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- Supports FCC's tentative conclusion to forbear tariff regulation and from enforcing 203, 204, 205, 210, 211, 212, 213, 214, 215, 218, 219, 220, and 221. (17)
- No requirements should be imposed on dominant common carriers with commercial mobile service affiliates. (17)

**VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- Agrees that the provision of interstate and intrastate interconnection and the type of interconnection are inseverable. (18)
- There is no need to preempt state regulation of rates for interconnection at this time, but the FCC should watch for state regulation which thwarts the development of interstate mobile services. (19)
- Supports a right to interconnection between commercial mobile service providers and between commercial service providers and the LECs, but does not advocate physical or virtual collocation. (19)
- If all PCS providers are not classified as commercial, have no objection to all PCS providers receiving the same interconnection rights. (20)
- LECs and mobile service providers should not have to file federal tariffs for PCS connection. (20)
- There should be no equal access requirement on any radio service providers, including PCS. (21)

PACIFIC TELECOM CELLULAR, INC.

I. IDENTITY AND INTEREST OF THE COMMENTER

- Cellular radio operator, potential PCS applicant.

IX. OTHER

- The FCC should not require CMS providers to invest in equal access capability. (2)
- In most cases, CMS subscribers will have access to the interexchange carrier of their choice through 1-800 access codes. (3)

**PACTEL CORPORATION****I. IDENTITY AND INTEREST OF THE COMMENTER**

- Provider of a variety of mobile services.

**II. DEFINITIONS****B. Commercial Mobile Service**

- Only those services that provide subscribers with direct access to the PSTN are interconnected. (iii)
- All services offered generally to the public should be classified as CMS without regard to capacity or coverage area. If eligibility is limited to a specialized group, it should be defined as private mobile. (11)
- A CMS should be able to provide to a limited group of customers unique services that are not offered to others and have that service offering regulated as private mobile. (12)

**C. Private Mobile Service**

- The FCC's classification of mobile service providers should turn on the character of the services offered. If a private mobile service provider offers some for-profit service, it should be regulated as CMS but only with regard to the commercial service. (6)
- The functional equivalence concept is intended to limit the scope of services subject to Title II regulation. (7)

**V. REGULATORY CLASSIFICATION OF PCS**

- Licensees should be able to self-determine whether to provide CMS or private mobile or both services. (14)

**VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- A policy of general forbearance from all Title II regulation (other than Sections 201, 202, and 208) should be followed. (16)

**VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS**  
**(STATE AND FEDERAL)**

- Interconnection obligations resting on wireline carriers should be delineated but should not be extended to CMS providers. There is no need to require CMS providers to interconnect with all who request it. (17,18)

**VIII. PREEMPTION OF STATE REGULATION OF CMS PROVIDERS**

- In reviewing petitions by states to extend regulatory authority, the FCC must proceed quickly and allow only one pleading cycle. Also, the FCC's market conditions analysis must be a dynamic analysis rather than static and should take into account the effects of anticipated new entry into the commercial mobile service market. (18,19)

**PACTEL PAGING****I. IDENTITY AND INTEREST OF THE COMMENTER**

- PacTel is a major provider of both common carrier and private carrier paging services. (2)
- PacTel's comments are limited to one-way paging services and narrowband Personal Communications Services. (1)

**II. DEFINITIONS****B. Commercial Mobile Service**

- Paging services should be deemed "interconnected" even if store-and forward technology is used. This will reduce the need for future reclassification. (6)

**III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- Mobile services should be classified into two major categories: wideband and narrowband services. Wideband services would include broadband PCS, cellular and ESMR. Narrowband services would include paging, Narrowband PCS and conventional 800 and 900 MHz SMR. (7)
- Under new regulatory structure, like services should be treated similarly. Uniform regulatory scheme should extend to technical rules regarding spectrum. (9)

**V. REGULATORY CLASSIFICATION OF PCS**

- See Part III.

**VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- Regardless of ultimate regulatory classification, Commission should forbear from Title II regulation of paging and Narrowband PCS services. (11)
- Commission should promptly detariff competitive services. (12)

**PAGEMART, INC.****I. IDENTITY AND INTEREST OF COMMENTER**

- Nationwide paging company, leader in implementation of advanced technologies such as narrowband PCS.

**II. DEFINITIONS****A. Mobile Service**

- Agrees that definition includes all existing common carrier and private land mobile services and PCS. (2 n. 3)

**B. Commercial Mobile Service**

- Traditional paging services, common and private, do not provide "interconnected service," which refers only to those mobile services that provide to subscribers as an essential feature of the service offered, the ability to access freely the PSN via the mobile service network for real-time, generally two-way communication. (5)
- Supports definition in In re Data Com, which essentially states that "store-and-forward" technology does not constitute interconnection. Crux is that paging companies employ the PSN solely to gather requests for activation of mobile network. Such interconnection is only an interface point through which the public may contact the mobile network, but may not use the network itself. This is not the unfettered, real-time, two-way access that was the source of Congress' concern. (7-8)

**C. Private Mobile Service**

- Legislative history makes clear that Congress intended to enable the FCC to classify as private a service that satisfies the definition of a CMS but is not functionally equivalent to CMS. (8-9)
- Commission should use a flexible standard in determining functional equivalence that takes into account technological factors and consumer perception. (9-10)

- Traditional paging services are not cellularized and do not use channel augmentation technology or operate on an SMSA-type basis, nor do consumers mistake paging for cellular; thus, paging is not the functional equivalent of a CMS. (8-10)

### **III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- The Commission should give all licensees, including PCS, the option to provide both commercial and private mobile services under a single license, and should allow licensees to change the nature of the service provided, and their regulatory status, during a license term by either filing a license modification or notifying the Commission. (16-17)

### **V. REGULATORY CLASSIFICATION OF PCS**

- PCS should not be uniformly treated as CMS. (17-18)
- PCS licensees should be able to choose whether to provide commercial or private service regardless of frequency assignment. PCS providers should be able to choose whether to be primarily commercial or private, and should be able to offer alternative service on a secondary or co-primary basis under a single license. (18)

### **VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- If paging is classified as CMS, the Commission should impose the least regulation permissible because paging satisfies all three criteria to be considered in exercising right to forbear. (11-16)

### **VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- Critical that private and commercial paging systems be granted interconnection rights equal to those currently enjoyed by common carrier paging companies. (10)
- Urges Commission to preempt right, type, and rates of interconnection for intrastate paging service. (11-12)
- Private and commercial PCS providers should have a federally protected right to interconnect with LEC facilities and inconsistent state regulation should be preempted. (19)

- Critical to development of PCS that LECs be required to file tariffs specifying their PCS interconnection charges. (19)

**VIII. PREEMPTION OF STATE REGULATION OF CMS PROVIDERS**

- Commission should not reserve the right to preempt state and local regulation of PCS, but should preempt it as part of the instant proceeding in order to prevent the imposition of unnecessary regulation on PCS. (20)

PAGING NETWORK, INC.

**I. IDENTITY AND INTEREST OF COMMENTER**

- Largest paging company in the U.S.

**II. DEFINITIONS**

**B. Commercial Mobile Service**

- Paging services generally fall within CMS definition. Virtually all paging is for-profit, with the exception only of purely internal use. (5)
- Sale of excess capacity is for-profit. (4-5)
- All mobile services that either originate or terminate on the PSTN are interconnected. This interpretation is supported by the interplay of §§ 332(c)(1)(B) and 332(c)(2), which makes clear that carriers that exercise their rights to obtain interconnection are interconnected. (6)
- Services that incorporate Type I and Type II interconnection are interconnected services. (7)
- Use of store-and-forward technology is irrelevant. (8)
- Non-interconnected paging services might include a hospital that provides its own paging service through an internal, private network. (9)
- "Public switched network" means "PSTN" as traditionally defined and includes local and interexchange wire and wireless common carrier switched networks. (10)
- All paging is offered to the public; there are no significant eligibility limits. (11)
- System capacity is not relevant to public availability of paging. (11)

**III. PROPOSED REGULATORY TREATMENT OF EXISTING SERVICES**

- Statutory provisions reflect Congressional intent to classify paging as CMS. Specifically, § 332(c)(6), which grandfathers PCPs for three

years, and the fact that Congress declined to grandfather PCPs from the foreign ownership restriction, support this. (12-13)

**VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- Level of competition in the paging industry is such that no one carrier wields market power. (16-23) Thus, the Commission should exercise its authority to exempt paging providers from all provisions of Title II except §§ 201, 202, and 208. (23)

**VII. INTERCONNECTION RIGHTS OF PCS AND CMS PROVIDERS (STATE AND FEDERAL)**

- The Commission has plenary jurisdiction under § 332(c)(1)(B) over interconnection of all mobile service providers, and should exercise it. (25-26)
- Appears to suggest that the Commission should preempt interconnection rates of paging providers. (28 n. 75)
- Equal interconnection rights should apply to both private and commercial mobile service providers. (29)

PERSONAL RADIO STEERING GROUP INC.

I. IDENTITY AND INTEREST OF THE COMMENTER

- Advocacy organization for the General Mobile Radio Service. (GMRS)

II. DEFINITIONS

B. Commercial Mobile Service

- The definition of interconnection should not include the use of the PSTN for internal control purposes such as dial-up circuits for transmitter control. (2)
- The FCC should recognize that GMRS licensees may incidentally use the PSTN to link stations and that such use of the PSTN does not constitute any offering of interconnected service to the public. (2)

C. Private Mobile Service

- Concurs with the proposed classification of all existing non-commercial services, including the general mobile radio service, as private mobile service. (2)
- GMRS services should not be viewed as the functional equivalent of commercial mobile service merely because GMRS licensees may implement frequency reuse or other responsible spectrum efficient methods. (2)

**PIONEER TELEPHONE COOPERATIVE, INC.****I. IDENTITY AND INTEREST OF THE COMMENTER**

- Local exchange carrier with cellular subsidiaries.

**VI. APPLICATION OF TITLE II TO COMMERCIAL MOBILE SERVICES**

- No CMS provider, including cellular and PCS, should be subject to equal access obligations because it is unnecessary and burdensome. (1-3, attaches RM-8012 comments re cellular equal access).