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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

PP Docket No. 93-253

In the Matter of )  
 )  
Implementation of Section 309(j) )  
of the Communications Act )  
Competitive Bidding )  
 )

To: The Commission

REPLY COMMENTS

ALCATEL NETWORK SYSTEMS, INC.

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Dated: November 23, 1993

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**REPLY COMMENTS**

Pursuant to Section 1.415 of the Commission's Rules,<sup>1</sup> Alcatel Network Systems, Inc. ("ANS"), by its attorney, hereby replies to various comments filed regarding the above-captioned Notice of Proposed Rule Making ("NPRM").

**I. SUMMARY**

The Commission has been authorized by Congress to employ competitive bidding or auction procedures to select from among mutually exclusive accepted applications for initial licenses.<sup>2</sup> The Commission, in the NPRM, addresses whether various microwave services should be subject to auctions.

Specifically, in the NPRM, the Commission proposes that intermediate microwave links and point-to-point common carrier microwave systems should be subject to auctions but that private-operational fixed microwave services ("POFS") should be exempt from such selection

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<sup>1</sup>47 C.F.R. Section 1.415 (1992).

<sup>2</sup>Congress amended the Communications Act of 1934, as amended (the "Act"), by adding new Section 309(j). Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, Title VI, Section 6002, 107 Stat. 387 (Aug. 10, 1993) ("OBRA").

procedures.<sup>3</sup> In addition, the Commission proposes using auctions only for initial license applications and not for modification or renewal applications.<sup>4</sup>

In its comments in this proceeding, ANS, a leading microwave radio manufacturer, strongly opposes subjecting any fixed microwave initial license applicant to auctions. ANS is not alone. Overwhelming opposition to selecting microwave licensees by auction characterizes the record of this proceeding.<sup>5</sup>

Specifically, as detailed herein, this strong opposition is based on the following:

- Intermediate microwave links must not be subject to auction because there is no statutory authority, the existing licensing process is effective, delays in implementation and increases in cost would result, and speculative applications designed to "greenmail" system operators would proliferate.
- POFS licenses should not be subject to auction. The Commission correctly concludes that the majority of these systems use spectrum for internal, non-compensable services which Congress intends to be exempt from auctions.
- Common carrier point-to-point microwave licenses should not be subject to auction because the potential for abuse exceeds the nominal amount of revenue anticipated.

## **II. INTERMEDIATE MICROWAVE LINKS MUST NOT BE SUBJECT TO AUCTION**

Pursuant to new Section 309(j)(2)(A), competitive bidding only can be used, with respect to the spectrum involved, if

the principal use . . . will involve, or is reasonably likely to involve, the licensee receiving compensation from subscribers in return for which the licensee enables those subscribers to receive communications signals that

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<sup>3</sup>NPRM at paras. 28-33, 145-46, 157.

<sup>4</sup>NPRM at para. 22.

<sup>5</sup>Attachment A lists the parties in this proceeding commenting on the issue of subjecting microwave licenses to auctions, the page references in their pleadings addressing this issue, and the abbreviations for these parties used herein. ANS is serving this pleading only on the parties listed on Attachment A because the other parties, which are quite numerous, did not address the issues ANS discusses herein.

are transmitted utilizing frequencies on which the licensee is licensed to operate; or enables those subscribers to transmit directly communications signals utilizing frequencies on which the licensee is licensed to operate.<sup>6</sup>

In the NPRM, the Commission proposes subjecting licenses for intermediate microwave links to auctions:

Section 309(j)(2)(A) requires, in order for there to be competitive bidding, that the subject spectrum enable subscribers "to receive communications signals" or to "transmit directly communications signals." It seems that the aforementioned examples would fall within this criterion: the microwave licenses are used as an integral part of an end-to-end service offering enabling paying subscribers either to transmit directly or receive communications signals utilizing frequencies on which the licensee is licensed to operate. We therefore propose that licenses used in services as an intermediate link in the provision of a continuous, end-to-end service to a subscriber would be subject to competitive bidding. Such a result would also be administratively efficient because it would eliminate the necessity of determining the nature of the use being made of a particular license.<sup>7</sup>

A resounding "no" is the response to this proposal. Of the more than forty (40) parties addressing the issue, only two (2) parties express any support (which, as demonstrated below, are without merit).

Intermediate microwave links often are the most efficient, cost-effective, and reliable backhaul network systems for common carriers and private users.

[D]eployment of microwave affords . . . carriers with greater control over: (1) quality, performance, maintenance, and repair; (2) costs; and (3) timing of service initiation over both the microwave and [carrier] facilities. Indeed, microwave facilities are often used to permit . . . carriers more quickly to bring . . . transmitters into service, thereby expanding or improving . . . coverage areas.<sup>8</sup>

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<sup>6</sup>47 U.S.C. Section 309(j)(2)(A) (1993).

<sup>7</sup>NPRM at para. 29 (footnote omitted).

<sup>8</sup>McCaw at 26-27 (footnotes omitted). See also SBC at 10 (the "greatest benefit of microwave" to carriers is "the speed at which it can be placed in service to meet demand"); CMI at 4.

Indeed, for interexchange carriers ("IXCs"), local exchange carriers ("LECs"), and other network operators, intermediate microwave paths are "vital link[s]"<sup>9</sup> and are "essential parts of the public switched telephone network,"<sup>10</sup> especially in rural areas<sup>11</sup> and for public safety services.<sup>12</sup> Not only are microwave links critical components in existing network services, they will form important pieces of PCS and other new technologies:

[T]he growth of wireless networks could increase the demand for intermediate links at a time when fixed microwave spectrum is becoming scarce.<sup>13</sup>

In determining whether to subject intermediate microwave link license applications to auctions, the Commission must consider these factors and must listen to the loud and clear opposition expressed in the comments. Otherwise, if it adopts its proposal and requires auctions for intermediate microwave links, the Commission will disserve the public interest and would act in an arbitrary and capricious manner.

A. The Commission Lacks Statutory Authority to Auction Intermediate Microwave Licenses.

It is abundantly clear from the record of this proceeding that intermediate microwave links do not fit the statutory requirement. In its Comments, UTC declares:

By definition, intermediate links are not used to provide service directly to subscribers; they do not enable subscribers to "receive communications signals;" nor do they enable subscribers to "transmit directly." Intermediate links are nothing more than a substitute for hard-wired facilities, and are not essential to the carrier's primary offering of "subscriber" service. As

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<sup>9</sup>NRTA at 12.

<sup>10</sup>USTA at 2.

<sup>11</sup>Louisiana at 3; SBC at 12.

<sup>12</sup>APCO at 2-4.

<sup>13</sup>BellSouth at 45.

such, they do not fit the definition of a subscriber service in Section 309(j)(2)(A).<sup>14</sup>

Similarly, AT&T demonstrates that auctioning intermediate microwave links clearly is not contemplated under Section 309(j):

[W]hen these services are used as intermediate links in an end-to-end signal they fall outside of the statutory definition, because subscribers do not "receive communications signals" or "transmit directly communications signals" using the licensed frequency. Rather, the carrier provides and maintains access to both ends of the radio transmission and is responsible for integrating the radio transmission into the entire communications path.<sup>15</sup>

Moreover, under OBRA, Congress "admonishes the Commission that it is not relieved of the obligation to continue to use the full range of regulatory tools to avoid mutual exclusivity in licensing actions," including "engineering solutions."<sup>16</sup> Numerous parties cite this statutory requirement as further reason for eschewing auctions for intermediate microwave links because, as detailed below, prior coordination and other engineering solutions minimize mutual exclusivity significantly.<sup>17</sup>

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<sup>14</sup>UTC at 7-8.

<sup>15</sup>AT&T at 22 (footnote omitted). See also Rochester Telephone at 2 ("Providers utilize such links to provide their services to end users. These links . . . are not themselves offered to end user subscribers and thus do not qualify for auctioning."); Sprint at 22-23 ("Point-to-point microwave is a component of a LEC, IXC or mobile service network. It is consumed in the internal communications of the underlying carrier"); RCA at 3-4; SBC at 7-8; Intelco at 5-6; APC at 8-9; OPASTCO at 11; Telocator at 18; Pacific Bell at 18-19; CMI at 2-4; Pactel Paging at 18; NYNEX at 12; TWT at 6; GTE at 3; McCaw at 25-26; UTC at 7; Pactel at 9-10.

<sup>16</sup>Motorola at 2 (footnote omitted); 47 U.S.C. Section 309(j)(6)(E) (1993).

<sup>17</sup>See, e.g., Telocator at 22; CMI at 5; AT&T at 16 n.14.

B. Use of Auctions for Intermediate Microwave Links Would Replace the Existing Effective Licensing Scheme.

Intermediate microwave links rarely are subject to competing applications.<sup>18</sup> Prior coordination, as required under the Commission's Rules,<sup>19</sup> assures virtually no mutually exclusive applications are filed.<sup>20</sup>

Existing Commission procedures requiring coordination and selection of specific frequencies in these services have been successful in avoiding harmful interference situations. There is no reason to alter current policy and practices and run the risk of undercutting the existing procedures which already promote cooperation among licensees in these services.<sup>21</sup>

Nor are any countervailing benefits from auctions identified. In fact, as UTC points out, since "instances of mutual exclusivity are very rare" for intermediate microwave links, their exemption "from the competitive bidding process will have little, if any, impact on anticipated auction revenue."<sup>22</sup>

Auctions threaten effective microwave licensing. This threat would impact the public profoundly:

As the most cost-effective communications medium in many situations, point-to-point microwave has enabled both large and small LECs to fulfill their obligations to serve at the lowest cost, facilitating this idea of universal service. This is especially true in rural areas, where the obligation to serve is the most costly for the LEC.<sup>23</sup>

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<sup>18</sup>Pactel at 9; Telocator at 18, 22; CMI at 4-5; ITA at 3; General at 14; TWT at 8; Cox at 9; MCI at 22; McCaw at 27.

<sup>19</sup>47 C.F.R. Sections 21.700 to 21.711 (1992).

<sup>20</sup>See Cox at 9.

<sup>21</sup>TADS at 4.

<sup>22</sup>UTC at 8. See also MCI at 22; CMI at 6-7.

<sup>23</sup>SBC at 12.

According to Rochester Telephone, "it would make no sense to auction these frequencies. Subjecting microwave applications to competitive bidding could wreak havoc with providers' plans to offer their services to the public."<sup>24</sup>

Numerous reasons are set forth in the record which corroborate such concerns. These reasons include increasing costs, complicating network deployment, delaying license grants and abusing the licensing process.

Increased costs -- The use of auctions endangers a carrier's ability to maintain its network on a least-cost basis.

Auctioning would seriously impede a carrier's ability to efficiently maintain its network in a least-cost manner. It would deprive carriers of the ability to estimate build-out costs for continuing to provide end-to-end service since they would be unable to estimate the total cost of any particular microwave path or license. Auctioning would impair the processing of applications for microwave paths. Finally, competitive bidding would jeopardize carriers' ability to provide required levels of service.<sup>25</sup>

Furthermore, as Intelco points out, "a common carrier must be unhindered to determine and implement the most cost-efficient method of supplying end-to-end service. This is absolutely crucial in rural areas where unnecessary costs, added to the already higher cost of service provision, may threaten the availability of high-quality service."<sup>26</sup>

Complicating network deployment -- Auctions for intermediate microwave links would complicate the licensing process significantly. Most networks consist of numerous microwave paths. Under these circumstances, it is quite likely that each link in a particular network would be subject to a separate auction. Licenses could be granted at different times and different licensees for each separate link in the end-to-end network could exist. This would result in a

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<sup>24</sup>Rochester Telephone at 6.

<sup>25</sup>SBC at 8-9.

<sup>26</sup>Intelco at 6.

"licensee being subject to multiple auctions simply to complete its system."<sup>27</sup> Not only would this situation make network development and implementation exceedingly difficult, such "splintered" responsibility for maintenance of network microwave facilities likely would result in disabling or severely degrading operations.<sup>28</sup>

Delay licensing -- The existing frequency coordination process works. Carriers depend upon microwave facilities because, under this licensing procedure, such facilities can be constructed and made operational rapidly. Many parties fear that auctions would ruin a licensing procedure that does not need to be changed and that would result in significant delay.<sup>29</sup>

Application abuse -- The incidence of mutually exclusive applications for intermediate microwave links is exceedingly rare. Under the existing licensing procedure, with prior coordination, there is no incentive for competing applications.

This situation likely would change if auctions were required. Many parties are quite concerned that auctions will invite abuse of the application process, resulting in rampant speculative applications, use of such applications as competitive weapons to "greenmail" legitimate applicants, windfall profits for such abusers, and the likelihood that spectrum would be warehoused by auction winners which are not interested in providing microwave service.<sup>30</sup>

If adopted, however, the Notice's proposal promises to create perverse incentives affecting the behavior of point-to-point microwave licensees in two respects. First, to ensure necessary spectrum for expanding cellular usage, carriers may attempt to build spectrum "reserves" for the future. Licenses thus may be awarded to carriers without immediate need of the spectrum, resulting in warehousing. Second, applicants may deliberately

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<sup>27</sup>TWT at 7.

<sup>28</sup>NYNEX at 12; AT&T at 21 n.23; Sprint at 22.

<sup>29</sup>See, e.g., CMI at 5; AT&T at 22; REA at 1.

<sup>30</sup>MCI at 22; TWT at 7; BellSouth at 45-46; GTE at 4; AT&T at 21; REA at 1; Rochester Telephone at 6; SBC at 10; Intelco at 6; CMI at 6; NYNEX at 12; Cox at 9; TWT at 7.

seek to create mutually exclusive situations in order to block or delay or increase the costs of growth of competitors' systems, or merely to obtain microwave spectrum for their own systems.

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Either result would impede achievement of the Commission's goal of facilitating the rapid provision of cellular and other services to the public. Moreover, this outcome ignores the Congressional directive to "avoid mutual exclusivity in application and licensing proceedings." [T]he action proposed in the Notice would encourage the filing of mutually exclusive applications in a service where such situations currently are rare.<sup>31</sup>

C. Relocated 2 GHz Microwave Licensees Must Not Be Subject to Auctions.

In the NPRM, the Commission proposes exempting "from competitive bidding entities forcibly relocated by our orders in ET Docket No. 92-9 . . . in order to safeguard the public interest."<sup>32</sup> ANS fully supports this exemption. All microwave licensees evacuated from the 2 GHz band must be exempt from auctions.<sup>33</sup>

D. Support for the Commission's Proposal to Auction Intermediate Microwave Licenses is Minimal and Unjustifiable.

In its Comments, CTIA supports the Commission's proposal.<sup>34</sup> However, CTIA, while stating its support, nevertheless acknowledges the potential that auctions would have for abuse by recommending safeguards against "greenmail."<sup>35</sup> These safeguards include allowing applicants to continue using STAs and Temporary-Fixed Authorizations to construct and operate

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<sup>31</sup>McCaw at 27-28 (footnotes omitted).

<sup>32</sup>NPRM at para. 128 n.118.

<sup>33</sup>See also AAR at 6-7.

<sup>34</sup>CTIA at 31-34.

<sup>35</sup>CTIA at 31-34.

intermediate microwave links at their own risk prior to grant of permanent authorization and to expedite auctions.<sup>36</sup>

Inexplicably, CTIA's proposal is inconsistent with all the other cellular carriers commenting in this proceeding.<sup>37</sup> Furthermore, CTIA's proposal is unjustified because it would complicate a valuable process without benefitting the public.

Arch is the only other supporter of auctions for intermediate microwave links. It claims that, with decreasing spectrum, microwave applications will increase and auctions will provide "a mechanism to ration this scarce spectrum . . . ."<sup>38</sup>

Arch has it all wrong. The current coordination procedures ensure proper rationing of already scarce spectrum. As the record shows, there is no reason to change this effective licensing scheme.

### **III. POF S FREQUENCIES MUST NOT BE SUBJECT TO COMPETITIVE BIDDING**

Congress restricts application of competitive bidding to services for which the licensee receives compensation. Specifically, under Section 309(j)(2), the "principal use" of spectrum must involve or must be reasonably likely to involve the transmission or reception of communication signals to subscribers for compensation in order for auctions to be available.<sup>39</sup> The Commission proposes that, to determine whether the "principal use" of the spectrum meets this test, "at least a majority of the use" of the service or class of service "must be for service to subscribers for

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<sup>36</sup>CTIA at 31-32.

<sup>37</sup>See e.g., comments by Ameritech, BellSouth, McCaw, NYNEX, Pactel and SBC.

<sup>38</sup>Arch at 10.

<sup>39</sup>47 U.S.C. Section 309(j)(2) (1993); NPRM at para. 30.

compensation rather than for 'private service.'"<sup>40</sup> Most parties filing comments on this issue agree with this approach.<sup>41</sup>

Specifically, the Commission tentatively concludes that the vast majority of POFS spectrum is used for non-compensable private or internal communications.<sup>42</sup> Consequently, the Commission proposes that POFS frequencies will not be subject to spectrum auctions.<sup>43</sup> ANS agrees with the Commission's proposal and endorses its adoption.

#### **IV. POINT-TO-POINT COMMON CARRIER MICROWAVE SERVICES SOLD DIRECTLY TO THE PUBLIC FOR COMPENSATION SHOULD NOT BE SUBJECT TO AUCTIONS**

The Commission proposes that point-to-point microwave radio, offered as a domestic public radio service on microwave frequencies by fixed stations, should be subject to auctions.<sup>44</sup> Even though this service is sold directly to the public for compensation, ANS disagrees that it should be subject to auctions.

As NTCA argues in its comments, under Section 309(j)(3), in determining which services are subject to auction, the Commission not only must look at the issue of compensation but also must look at the public interest and must promote the "Universal Service goals of Section 1" of the Act:

Common carrier microwave links are essential to the provision of basic telephone service. The links that form part of the public switched network should not be put in jeopardy by auctions. Section 309(j) clearly contemplates that the Commission exclude services from auctions when the public interest requires it. In fact, the expectation of Federal revenues

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<sup>40</sup>NPRM at para. 32 (footnote omitted).

<sup>41</sup>SBC at 5-6; APCO at 3; AAR at 6; API at 5; AT&T at 19.

<sup>42</sup>NPRM at para. 32 n.16.

<sup>43</sup>NPRM at para. 146 n.156.

<sup>44</sup>NPRM at para. 157.

from the use of competitive bidding for certain licenses cannot be a basis for deciding which licenses will be auctioned. NTCA believes the auctioning of frequencies for common carrier microwave licenses would create incentives both for purely speculative bidding and greenmail. While these phenomena may increase the revenues to the Treasury, they will not benefit the public that relies on the public switched network and ultimately bears the cost associated with its maintenance. The Commission should not allow auctions of these frequencies.<sup>45</sup>

If the Commission decides to auction common carrier microwave systems offered directly to the public for compensation, it must do so prudently. As SBC states, the Commission must make sure that these services are compensable and are not "infected" by operations for internal, non-compensable purposes.<sup>46</sup>

#### **V. MICROWAVE LICENSE MODIFICATIONS MUST NOT BE SUBJECT TO AUCTIONS**

Consistent with Section 309(j), the Commission declares that license modifications and renewals will not be subject to auctions.<sup>47</sup> This conclusion is supported by the record of this proceeding and must be adopted.<sup>48</sup>

The Commission should be very careful in determining what microwave license applications constitute "modifications." In its May 14, 1992, Public Notice, the Commission identifies what changes constitute microwave license modifications: any change in antenna azimuth, antenna beam width, channel loading, emission, station location, or ownership or control; any increase in antenna height or authorized power; any reduction in authorized frequencies; and any addition of frequencies not in the 2 GHz band.<sup>49</sup> ANS supports continued

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<sup>45</sup>NTCA at 15-16 (citation omitted).

<sup>46</sup>SBC at 6. See also AT&T at 18.

<sup>47</sup>NPRM at para. 22.

<sup>48</sup>Motorola at 2; SBC at 4.

<sup>49</sup>Public Notice (Mimeo No. 23115, May 14, 1992).

use of these criteria to determine which microwave license applications constitute modifications and thus are not subject to auctions.

### **CONCLUSION**

ANS greatly appreciates the Commission's effort to ensure competitive bidding on a fair basis and to ensure that only those services qualifying under Congress' criteria are subject to such procedures. As demonstrated herein and in the record of this proceeding, the Commission's decision exempting POFS frequencies from auctions is correct. However, its proposals for auctioning intermediate microwave links and common carrier point-to-point microwave systems sold for compensation to the public are incorrect. Before making a decision that will have a devastating impact on the microwave industry, the Commission must, based upon the overwhelming consensus in this proceeding and upon clear Congressional intent, reconsider its position and treat intermediate microwave links and common carrier point-to-point microwave systems the same as POFS and exempt them from auctions.

Respectfully submitted,

**ALCATEL NETWORK SYSTEMS, INC.**

A handwritten signature in black ink, appearing to read "Robert J. Miller", is written over a horizontal line. The signature is stylized and extends to the right with a long, sweeping tail.

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Dated: November 23, 1993

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## ATTACHMENT A

### OPPOSE AUCTIONS

AMERICAN AUTOMOBILE ASSOCIATION, INC. ("AAA") (4-6)  
AMERICAN PERSONAL COMMUNICATIONS ("APC") (8-10)  
AMERICAN PETROLEUM INSTITUTE ("API") (4-6)  
AMERICAN TELEPHONE & TELEGRAPH COMPANY ("AT&T") (15-23)  
AMERITECH OPERATING COMPANIES ("AMERITECH") (2-4)  
ASSOCIATION OF AMERICAN RAILROADS ("AAR") (3-7)  
ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS-  
INTERNATIONAL, INC. ("APCO") (2-4)  
BELLSOUTH CORPORATION ("BELLSOUTH") (45-46)  
CALIFORNIA MICROWAVE, INC. ("CMI") (3-7)  
COMCAST CORPORATION ("COMCAST") (14-15)  
COX ENTERPRISES, INC. ("COX") (8-9)  
DOMESTIC AUTOMATION COMPANY ("DAC") (4-5)  
GENERAL COMMUNICATION, INC. ("GENERAL") (14)  
GTE SERVICE CORPORATION ("GTE") (3-4, 17)  
INDUSTRIAL TELECOMMUNICATIONS ASSOCIATION, INC. ("ITA") (3-4)  
McCAW CELLULAR COMMUNICATIONS, INC. ("McCAW") (3, 24-30)  
MCI TELECOMMUNICATIONS CORPORATION ("MCI") (22)  
MOTOROLA INC. ("MOTOROLA") (2-3)  
NATIONAL RURAL TELECOM ASSOCIATION ("NRTA") (12-13)  
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION ("NTCA") (15-16)  
NYNEX CORPORATION ("NYNEX") (9-13)  
ORGANIZATION FOR THE PROTECTION AND ADVANCEMENT OF SMALL TELEPHONE  
COMPANIES ("OPASTCO") (11)  
PACIFIC BELL AND NEVADA BELL ("PACIFIC BELL") (18-20)  
PACTEL CORPORATION ("PACTEL") (8-10)  
PACTEL PAGING AND MIDCONTINENT MEDIA ("PACTEL PAGING") (17-19)  
RURAL CELLULAR ASSOCIATION ("RCA") (3-5)  
RURAL ELECTRIFICATION ADMINISTRATION ("REA") (1-2)  
ROCHESTER TELEPHONE CORPORATION ("ROCHESTER TELEPHONE") (2-7)  
SMALL TELEPHONE COMPANIES OF LOUISIANA ("LOUISIANA") (3-4)  
SOUTHWESTERN BELL CORPORATION ("SBC") (4-12)  
SPRINT CORPORATION ("SPRINT") (21-23)  
TELEPHONE AND DATA SYSTEMS, INC. ("TADS") (4-6)  
TELOCATOR (18-22)  
TIME WARNER TELECOMMUNICATIONS ("TWT") (6-8)  
U. S. INTELCO NETWORKS, INC. ("INTELCO") (5-7)  
UNITED STATES TELEPHONE ASSOCIATION ("USTA") (2)  
UTILITIES TELECOMMUNICATIONS COUNCIL ("UTC") (3-15, 31-35)  
RICHARD L. VEGA GROUP ("RLV") (3)

## **SUPPORT AUCTIONS**

ARCH COMMUNICATIONS GROUP, INC. ("ARCH") (10)

CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION ("CTIA") (31-34)

161890/GW03

## CERTIFICATE OF SERVICE

I do hereby certify that copies of the foregoing Reply Comments will be served by first class mail, postage paid, on the following parties on the 23rd day of November, 1993:

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