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June 6, 1994

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EX PARTE

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

RE: GN Docket No. 93-252
Regulatory Treatment of Mobile Services

Dear Mr. Caton:

On Monday, June 6, 1994, on behalf of AirTouch Communications, Richard Nelson and I met with Geraldine Matise and Sally Novak of the FCC's Mobile Service Division to discuss preemption issues raised in the above-referenced proceeding. The attached materials were distributed.

Two copies of this notice were submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's Rules.

Please stamp and return the provided copy to confirm your receipt. Please contact me at 202-293-4960 should you have any questions or require additional information concerning this matter.

Sincerely,

Kathleen Q. Abernathy

cc: Geraldine Matise
Sally Novak

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LATE FILED EXHIBIT NO. 6

Requested by the Department of Public Utility Control

PROCEEDINGS IN OTHER STATES

Springwich Cellular Limited Partnership
Docket No. 94-03-27

Witness Responsible: J. P. Brennan

Question: Provide a list of proceedings in other states regarding whether the state is considering to seek extension of rate authority. Include docket number.

Answer: Attachment A depicts the results of an informal survey of other state proceedings that have been initiated to consider whether a state regulatory commission will petition the FCC for authority to continue rate regulation of cellular carriers. The survey was informal and was prepared by Springwich Cellular Limited Partnership based on telephone calls with cellular carriers in other states. The survey does not reflect direct communication with state regulatory commissions.

In this survey, states are classified as either "regulated", "partially regulated" or "not regulated". The extent of regulation depends on each jurisdiction's cellular regulatory policy. A "regulated jurisdiction" requires a carrier to obtain a Certificate of Public Convenience and Necessity ("CPCN") and file tariffs for both the wholesale and retail level. A "partially regulated" jurisdiction typically means that a CPCN and a tariff filing are required at the wholesale level but not at the retail level. A jurisdiction that is "not regulated" does not require cellular carriers, at the wholesale or retail level, to obtain a CPCN or file tariffs of any kind.

	STATE	REGULATED?	PROCEEDING/STATUS
1	ALABAMA	No	
2	ALASKA	Yes	
3	ARIZONA	Partial	Informal discussions. (No docket)
4	ARKANSAS	Partial	
5	CALIFORNIA	Yes	Docket 93-12-007
6	COLORADO	No	
7	CONNECTICUT	Partial	Docket No. 94-03-27
8	DELAWARE	No	
9	FLORIDA	No	
10	GEORGIA	No	
11	HAWAII	Yes	Task force formed within PUC to investigate. (No docket.)
12	IDAHO	No	
13	ILLINOIS	Partial	No formal proceeding.
14	INDIANA	No	
15	IOWA	No	
16	KANSAS	No	
17	KENTUCKY	Partial	May be addressed in Administrative Case No. 344 (1992 proceeding still in progress).
18	LOUISIANA	Yes	Informal investigation. (No docket.) Conducting research to reconsider vote to file petition with the FCC.

	STATE	REGULATED?	PROCEEDING/STATUS
19	MAINE	No	Deregulated.
20	MARYLAND	No	Deregulated by statute.
21	MASSACHUSETTS	Yes	Docket 94-73
22	MICHIGAN	No	No action.
23	MINNESOTA	No	
24	MISSISSIPPI	Partial	No formal proceeding.
25	MISSOURI	No	
26	MONTANA	No	
27	NEBRASKA	No	
28	NEVADA	Yes	Informal staff analysis underway; recommendation to PSC due May 31. (No docket.)
29	NEW HAMPSHIRE	No	Deregulated by statute.
30	NEW JERSEY	No	Deregulated by statute.
31	NEW MEXICO	Partial	No formal proceeding.
32	NEW YORK	Yes	Matter under consideration. (No formal proceeding.)
33	NORTH CAROLINA	No	Although cellular had been deregulated, the Commission reaffirmed its previous decision with an Order issued January 31, 1994 to not petition the FCC.
34	NORTH DAKOTA	No	
35	OHIO	Partial	Matter under consideration. No formal proceeding.
36	OKLAHOMA	No	

	STATE	REGULATED?	PROCEEDING/STATUS
37	OREGON	No	
38	PENNSYLVANIA	No	Deregulated by statute.
39	RHODE ISLAND	No	Deregulated by statute
40	SOUTH CAROLINA	Partial	Notice issued May 16, 1994 requesting comments by June 13, 1994. (No docket)
41	SOUTH DAKOTA	No	
42	TENNESSEE	Partial	Addressed in local exchange competition proceeding. (Docket 94-00184)
43	TEXAS	No	Deregulated by statute.
44	UTAH	Partial	No formal proceeding.
45	VERMONT	Yes	No formal proceeding.
46	VIRGINIA	Partial	No action/will not petition.
47	WASHINGTON	No	
48	WEST VIRGINIA	Yes	Order issued March 21, 1994 to not seek extension of rate authority.
49	WISCONSIN	No	
50	WYOMING	Partial	No formal proceeding.