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June 29, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

BY MESSENGER

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Comment on Petition for Reconsideration
ET Docket 92-9

Dear Mr. Caton:

American Personal Communications ("APC") comments on the above-referenced petition only to correct a misperception noted at pages 16-17 of the petition.

There, petitioners argue that requiring public safety microwave users to live with a five-year transition period rather than permanent co-primary status conflicts with pioneer preference awards based, in part, on the invention of technologies to permit spectrum sharing with microwave users. The petitioners' assertion ignores the obvious -- that without spectrum-sharing technologies, PCS would be impossible until all microwave users had been relocated. Under a five-year transition plan, public safety microwave users will occupy the 2 GHz band until the end of the decade, and many will never relocate from that band. As the Commission stated and the petitioners recognize, APC's developments "allow immediate initiation of PCS services with no need to immediately relocate existing licensees." Petition at 18 (emphasis added). APC's contribution to permitting PCS to begin immediately is undoubtedly "extraordinarily valuable."

Very truly yours,

Jonathan D. Blake
Kurt A. Wimmer

Attorneys for American
Personal Communications

cc: John D. Lane, Esq.

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Mr. William Caton
June 29, 1994
Page 2

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