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

JUL 21 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Establishment of An Advisory ) CC Docket No. 92-297  
Committee To Negotiate )  
Proposed Regulations )

RESPONSE OF VIDEO/PHONE SYSTEMS, INC.

Video/Phone Systems, Inc. ("Video/Phone"), through its undersigned counsel, hereby responds to the Commission's July 12, 1994 Public Notice (the "Notice"), concerning the establishment of the LMDS/FSS 28 GHz Band Negotiated Rulemaking Committee in the above-captioned rulemaking proceeding (the "Committee").<sup>1/</sup> By the Notice, the Commission sets forth the Committee's objectives, membership composition, and meeting schedule.<sup>2/</sup> The Notice also asks the designated Committee members to finalize their respective choices of representatives and alternates, and to certify their intention to negotiate in good faith to reach a consensus in the Committee.

As previously indicated, Video/Phone designates its President, Mr. Don Franco, as its representative on the

<sup>1/</sup> See FCC Public Notice, Mimeo No. 43845 (released July 12, 1994).

<sup>2/</sup> As set forth in the Notice, the Commission has tasked the Committee to provide expert advice and recommendations to be used by the Commission to formulate proposals for technical rules that will maximize prospects for co-channel co-primary sharing of the 28 GHz band between LMDS and FSS operations.

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List A B C D E

Committee.<sup>3/</sup> Mr. Franco and the designated alternates listed below will represent the interests of Video/Phone, MCI Telecommunications Corporation, and LDH International before the Committee. Mr. Franco's address and telephone numbers are as follows:

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Video/Phone Systems, Inc.  
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The following persons are hereby designated as alternate Committee representatives for Video/Phone and the parties consolidated under Video/Phone's representation:

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<sup>3/</sup> See Comments of Video/Phone Systems, Inc., CCC Docket No. 92-297 (filed March 21, 1994).

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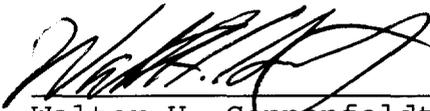
Video/Phone hereby informs the Commission that messrs. Franco, Sonnenfeldt, Halprin, and Goodman plan to attend the July 25, 1994 Committee members' negotiated rulemaking procedures training session.

In conclusion, Video/Phone applauds the Commission's decision to establish the LMDS/FSS 28 GHz band Negotiated Rulemaking Committee. Video/Phone is optimistic that the

Committee will be successful in reaching a consensus agreement regarding co-primary LMDS/FSS sharing of the 28 GHz band.

Respectfully submitted,  
VIDEO/PHONE SYSTEMS, INC.

By:

  
\_\_\_\_\_  
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July 21, 1994

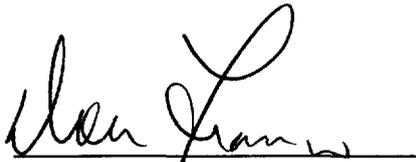
**DECLARATION**

I, Don Franco, do hereby declare as follows:

1. I am President of Video/Phone Systems, Inc.  
("Video/Phone").

2. In my capacity as President of Video/Phone, I hereby certify that Video/Phone will negotiate in good faith to reach a consensus in the LMDS/FSS 28 GHz Band Negotiated Rulemaking Committee.

3. Under the penalties of perjury, the foregoing is true and correct.

A handwritten signature in cursive script, appearing to read "Don Franco", written over a horizontal line.

Don Franco  
President  
Video/Phone Systems, Inc.

Dated: July 21, 1994

**CERTIFICATE OF SERVICE**

I, Zita Michelle Holly, a secretary in the offices of Walter Sonnenfeldt & Associates, hereby certify that on the 21st day of July, 1994, a true copy of the foregoing "RESPONSE OF VIDEO/PHONE SYSTEMS, INC.", was mailed, first-class postage prepaid, to the following:

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