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August 19, 1994

**RECEIVED**

AUG 19 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Reed E. Hundt, Chairman  
Federal Communications Commission  
Washington, D.C.

Dear Chairman Hundt:

In a News Release concerning the Commission's recent action in Docket No. GN 93-252, the Commission announced a freeze on the filing of new Specialized Mobile Radio System applications. The Commission explained that the reason for the freeze was to permit the Commission to consider revising its rules for the assignment of channels for SMR use in the 800 MHz band. According to the News Release, the Commission will consider amending its Rules to facilitate the authorization of wide area SMR systems and to facilitate competitive bidding for future SMR licenses.

On behalf of a number of clients, we respectfully suggest that the Commission modify its freeze to permit the filing of applications which would affect neither the Commission's ability to adopt a regular wide area authorization plan nor the Commission's ability to order competitive bidding between applicants. We shall suggest a couple of types of applications for which the Commission could readily lift the freeze without compromising its decision making power in any way.

The freezing out of, or even the dismissal or denial of, an application to modify an SMR license to merge an existing station into an existing SMR system would not improve the Commission's ability to encourage the development of wide area SMRs and would not improve the Commission's opportunities to conduct competitive bidding. Since all of the channels involved in such an application are already assigned to existing licensees, freezing the acceptance of such applications does not enhance the Commission's ability to revise its Rules in the manner which it appears to be proposing.

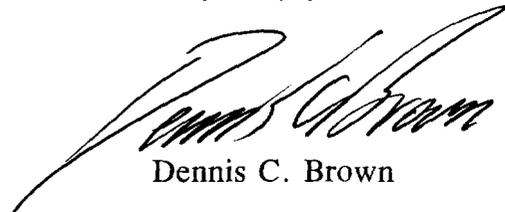
Similarly, a freeze on applications for relocation of existing SMR stations improves neither the Commission's opportunity to adopt new rules for wide area systems, nor its opportunity to conduct competitive bidding for initial licenses. When an SMR station relocates, it changes the center of its protected geographic area, however, relocation of a

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station opens up as much territory to new applications as it consumes. Therefore, relocation of an existing station would not affect the Commission's ability to encourage the development of wide area SMRs. Since the SMR license which would be modified already exists, no occasion for competitive bidding would be created by the freezing out of or the dismissal or denial of such an application.

For all the foregoing reasons, we respectfully suggest that the Commission modify its freeze on the filing of 800 MHz band applications to permit the filing of applications which would have no effect on the Commission's flexibility to foster the development of wide area SMRs or to engage in competitive bidding for initial licenses.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dennis C. Brown". The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Dennis C. Brown