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September 27, 1994

VIA HAND DELIVERY

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

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SEP 27 1994

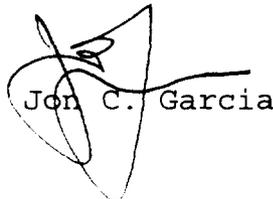
Re: Ex Parte Presentation, GEN Docket No. 90-314,
PP Docket No. 93-253, ET Docket No. 92-100 ✓

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Caton:

On September 27, 1994, Ms. Susan Ryan and the undersigned, attorneys for PageMart, Inc., met with Ms. Jill Luckett, Special Assistant to Commissioner Rachelle Chong, and Mr. Rudolfo Baca, Legal Adviser to Commissioner James H. Quello, to discuss the above-captioned rule-making proceeding. A background paper, copies of which are attached hereto, was provided to Ms. Luckett and Mr. Baca.

Sincerely yours,


Jon C. Garcia

Attachment

SEP 27 1994

PAGEMART, INC.
September 27, 1994FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**EX PARTE PRESENTATION – NARROWBAND PCS
GEN DOCKET NO. 90-314, PP DOCKET NO. 93-253, ET DOCKET NO. 92-100**

1. Allocation of "some" of the response channels to entrepreneurs' blocks is a reversal of the Commission's policy and would unfairly disadvantage existing providers.
 - Existing paging firms such as PageMart have already invested significant resources in the development and construction of operating paging systems. Excluding these firms from the advanced paging market would lessen competition and innovation, and result in inefficient spectrum usage.
 - Reallocation of response channels to entrepreneurs' blocks would greatly reduce their availability for incumbents.
 - The response channels originally were intended to serve the needs of existing providers, not new market entrants. Thus, encouraging entrepreneurs to enter the narrowband PCS market does not require response channels set-asides.
2. The Commission should permit licensees of the unpaired response channels to utilize these channels in combination with unpaired forward narrowband PCS channels.
 - Permitting use of the response channels with the unpaired 50 kHz forward frequency would increase competition in the advanced paging market.
 - The Commission has already expanded significantly the eligibility for these channels. Permitting pairing of these response frequencies with narrowband PCS forward channels would not harm existing carriers.
3. In recognition of the trend toward wider-area service, the Commission should either reallocate some of the 50 x 12.5 MHz MTA and BTA license as a national or regional licenses to regional or national service areas, or permit combinatorial bidding on such licenses.
 - The parties bidding outside of the entrepreneurs' blocks will seek to provide regional or nationwide service. Assembling such service areas on a license-by-license basis is unduly cumbersome.
 - The proposed rules unfairly benefit large, small and minority women-owned firms to the detriment of mid-sized firms that lack "deep pockets" but that cannot qualify as entrepreneurs.

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