(d) Resolving Application Mutual Exclusivity.

During this "First Window" period, there will be instances of application mutual-exclusivity, which is unavoidable because wireless cable systems have not been placed with respect to one another in accordance with any uniform spacing concept. If the ultimate goal of this proceeding is to get these channels in the hands of the legitimate operators, the existence of such mutual exclusivity should not *ipso facto* result in an auction procedure. We remind the Commission that the auction statute imposes on it an affirmative "obligation in the public interest to continue to use engineering solutions, negotiation, threshold qualifications, service regulations, and other means in order to avoid mutual exclusivity in application and licensing proceedings...."[27] Moreover, the auction statute clearly states that the anticipation of revenues to the U.S. Treasury is not to be considered in any decision on whether to resolve application mutual-exclusivity by auction.[28] For those reasons, we believe that the Commission should allow the mutually-exclusive filers to negotiate for a period of time after public notice of their application mutual-exclusivity to find a means of revising their respective proposals to terminate the mutual-exclusivity or to agree to the mutual acceptance of whatever interference may exist. Thereby, there will be more channels licensed and more operators will be placed in a better position to compete with cable TV companies. Indeed, absent the option of negotiated solutions to application mutual exclusivity, "daisy chains" of mutually exclusive applications could be resolved through the auction grant of only 1/n. This

[27] 47 U.S.C. § 309(j)(6)(E).

[28] Id. at § 309 (j)(7).

negotiated settlement approach would advance the Commission's goal in this proceeding to "result in more MDS service opportunities becoming available to the public."[29]

C. Licensing After the "First Window".

After the "First Window" period, the vast majority of existing wireless cable operators and those whose wireless cable plans are in advanced stages should have satisfied their MDS channel needs to the extent possible. At this point, the Commission should adopt rules as proposed by the Wireless Cable Association International to expand and to refine the wireless cable protected service area based upon realistic service principles. While for purposes of the "First Window" it is prudent to apply the existing radio frequency interference rules, thereafter the protected service area refinements so desperately needed must be adopted before the remaining vacant MDS channels are made available. Otherwise, the viability of the expanded and refined protected service area will be largely unavailable due to licensing decisions that preclude its employment. Moreover, the expanded service area will have the effect of deterring speculators, green-mailers and securities fraud artists by greatly limiting the number of available filing opportunities without materially depriving the public of the benefits of wireless cable service.[30]

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[29] NPRM, at ¶ 1. Negotiation as a means of breaking application deadlocks is the established practice in the industry. Operators frequently find that the interference rules stand in the way of their plans and are forced to agree upon engineering solutions so that geographically adjacent systems can function successfully.

[30] This proposal was made in a Petition for Partial Reconsideration in Gen. Docket 90-54 filed on December 13, 1991. We believe that the expanded and refined protected service area concept has benefits quite apart from MDS auction considerations which merit its adoption. Currently, a wireless cable system has a 710 square mile radius regardless of the real service reach of the system. That creates vexing problems. For example, unscrupulous filing mills have "squeezed in " proposals for channels having transmitter output powers of less than 3 watts and very low transmission antenna heights which are acceptable for filing and subject to grant because they protect all higher priority channels, but which obtain a 710 mile protected service area, most of which these nonviable systems cannot serve. The expanded and

After such rules changes, the Commission should allow general eligibility for MDS channels, subject to the required alien ownership and character standards. But, even at this juncture, we exhort the Commission to rely upon its engineering rules--not "area based" licensing--to determine whether a channel can be licensed in any particular place. The reasons supporting this recommendation are the same as those expressed above for not employing "area-based" licensing during the "first window." Yet, at this juncture, the existence of the additional licenses awarded during the "first window" will make the need to allocate in accordance with interference-based rules all the more important, and will make the benefits of "area-based" licensing all the more remote and minor. At this time, the area-based licensing approach could not be expected to "result in more MDS service opportunities becoming available to the public"[31] and certainly could not ease the Commission's licensing burden.

In the event that mutually-exclusive applications are filed, the filers should be given an opportunity to cure the mutual-exclusivity or to agree to accept interference and, absent such agreement, the auction system is available to determine the licensee. As we stated above, we expect little legitimate auction revenue from MDS channel auctions and the Commission should not allow expectations of auction revenues to guide or to supersede sound spectrum allocation principles or to eclipse the ultimate goal of licensing wireless cable operators.

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refined protected service area concept proposed by the Wireless Cable Association International would produce vastly greater correspondence between the protected service area and the area where service actually may be offered.

[31] NPRM, at § 1.

D. Auction Design.

1. Bidding System. ATI believes that the oral outcry auction method is the most efficient means of auctioning MDS licenses, as shown by the IVDS auctions. We expect that, due to the lack of inter-market dependency among MDS channels, each auction will have few channels and few bidders.[32] For that reason, the oral outcry method will allow for the quick resolution of mutually-exclusive situations. For the same reason, the simultaneous multiple round auction design offers no benefits in MDS channel auctioning.

2. Number of Channels in an Auction. The concept presented in the NPRM of auctioning all available MDS channels in an area together,[33] as explained above, simply is not feasible and is contrary to the allocation and public interest goals of this proceeding. Whether a channel is available in a market is an issue of interference. Because so many MDS channels are already licensed or subject to application, there will be few markets (if any) of significant size in which all of the MDS channels will be available. Again, operators will want to license these channels at their chosen transmitter sites. Many of these sites will be able to accommodate some but not all of the MDS channels. Nonetheless, to force the operator to bid for a block of channels which includes channels the operator cannot use, is to impose upon the operator a cost which is unfair, unrelated to market conditions and contrary to the Commission's public interest goals in this proceeding.

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[32] As stated above, a MDS channel gains its value as an appendage to and supplement for other MDS and ITFS channels used in a wireless cable system. The rational and honest bidder does not want a license in a market where the bidder will not have a wireless cable system.

[33] NPRM, at ¶ 23.

As stated above, the filers should file when they desire for the channels they desire and, when application mutual-exclusivity develops, the auction system is available to break the deadlock. Arbitrary Commission determinations of when frequencies in an area will be open for filing is not consistent with the goal of placing these channels in the hands of wireless cable operators. The wireless cable industry is too developed to accommodate any area-based system of licensing which would be required for the Commission to control when discrete frequencies are auctioned. Moreover, as stated in **Paragraph 1** of this subsection, there is no geographic "interdependency" among MDS channels. For that reason, there is no public revenue-enhancing purpose in the Commission's selection of when any particular channel is auctioned.

3. Preferences. The only preference system that would be consistent with the goal of placing the spectrum in the hands of the wireless cable operators would be the installment payment plan. Tax certificates would not be useful because an operator of a wireless cable system will sell it as a whole, and would not sell off discrete channels independently.[34] Spectrum set assides, bidding credits and bidding discounts may be useful in auctioning spectrum when the Commission does not care who obtains the license, but the main goal of this proceeding is to steer the MDS channels into the hands of the wireless cable operators. Because spectrum set asides, bidding credits and bidding discounts would work against that goal, they should not be available in the MDS auctions.

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[34] Otherwise, the going concern value of the operation would be lost. In a bankruptcy liquidation scenario, where there is no going concern value, the bankrupt would find no value in a tax certificate.

4. Reservation Price Concept. We do not see any merit to establishing a reservation price, below which a license subject to auction would not be awarded. As expressed above, we do not believe that much money will be offered for the MDS channels. So, there is little revenue enhancement benefit (if any) in reserving channels in the hope of obtaining a higher auction price in the uncertain future. Moreover, the Commission would be hard pressed to establish reservation prices. MDS channels do not have values determined by formulas that are conventional, universally-applicable and easy to apply, such as size of population or number of TV households. The value to a wireless cable operator of any particular channel is determined by a whole host of variables, all of which are weighted differently by different appraisers and some of which are ignored by some appraisers. For that reason, we doubt that anyone can place a noncontroversial value on any particular MDS channel. Thus, the concept of employing a reservation price cannot be justified. Moreover, for the Commission to make that determination would be for the Commission to engage in that type of business analysis it is ill-equipped to conduct and which involves more staff burden hours and controversy than it is worth. Finally, we believe that the minimum bid concept ironically seeks to

maximize the value placed by the marketplace on a channel by rejecting the ability of the marketplace to decide the value of the channel.

III. CONCLUSION

WHEREFORE, the foregoing premises considered, ATI respectfully requests the Commission to promulgate rules in this proceeding consistent with and as recommended in the foregoing comments.

AMERICAN TELECASTING, INC.

By: _____
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February 4, 1994

HAND DELIVERED

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

Re: COMMON CARRIER BUREAU/DOMESTIC FACILITIES DIVISION
DOMESTIC RADIO BRANCH--REQUEST FOR
MODIFICATION OF MDS APPLICATION ACCEPTANCE
FREEZE (PUBLIC NOTICE 22702, APRIL 15, 1992)

Dear Mr. Caton:

Transmitted herewith are an original and 14 copies of the Petition of American Telecasting, Inc. for limited modification of the above-referenced application acceptance freeze.

Please contact the undersigned if additional information on this matter is desired.

Respectfully submitted,

Thomas J. Dougherty, Jr.
Counsel for
American Telecasting, Inc.

cc: Hon. M. Reed Hundt
Hon. James H. Quello
Hon. Andrew C. Barrett
Mr. Blair Levin
Mr. Brian F. Fontes
Mr. Byron F. Marchant
Ms. Kathleen B. Levitz
Mr. Kelly Cameron
Mr. James R. Keegan
Ms. Cassandra Thomas
Mr. Robert James
Ms. J. Lynne Milne

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

In the Matter of	)	
	)	
Freeze on the Acceptance of Applications for New MDS Stations	)	Public Notice 22702 (April 15, 1992)

Directed To: The Commission

PETITION OF AMERICAN TELECASTING, INC.
FOR LIMITED MODIFICATION OF THE MDS
APPLICATION ACCEPTANCE FREEZE

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February 4, 1994

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Summary

American Telecasting, Inc.("ATI"), is one of largest wireless cable system operators in the United States. It has over $150,000,000 in capital dedicated to building and operating its wireless cable systems.

ATI's efforts to develop its systems, however, are hampered by the current freeze on the acceptance of new MDS station license applications. The result for ATI and other legitimate wireless cable operators is the disruption of plans. The result for the public is a reduction in the ability of wireless cable to offer a competitive alternative to the cable monopoly.

ATI believes that the freeze has served its valid purpose and that the time has arrived to lift the freeze.

But, ATI does not propose a complete abandonment of the freeze; indeed, such action would return the Commission to the days of being swamped by filing mill-prepared applications.

Rather, ATI proposes allowing the filing of new MDS station license applications for facilities in a given market only by those who already have access by lease or license to 9 or more ITFS and/or MDS channels in the market. As a result, the filing mills would be removed from the process and the Commission would be able to devote its attention to the applications of legitimate operators. As the development of wireless cable systems would be hastened, the introduction of competition to cable systems would be hastened.

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

In the Matter of	)	
	)	
Freeze on the Acceptance of Applications for New MDS Stations	)))	Public Notice 22702 (April 15, 1992)

Directed To: The Commission

PETITION OF AMERICAN TELECASTING, INC. FOR LIMITED MODIFICATION OF THE MDS APPLICATION ACCEPTANCE FREEZE

AMERICAN TELECASTING, INC. ("ATI"), by its counsel and pursuant to Rule 1.41, hereby requests the following action by the Commission:

> The modification of the MDS application freeze to provide for the acceptance of applications for new MDS stations filed by entities that have access by lease or license to 9 or more of the ITFS and/or MDS channels that will be used with the requested MDS channels.[1/]

As explained below, the grant of this Petition will serve the public interest in the development of wireless cable as a competitive alternative to cable television systems, without causing a disproportionate application processing burden. Moreover, ATI believes that the Commission may make this freeze modification based solely on the record established in terminated

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1/ By separate petition filed today, ATI also has requested the modification of the ITFS application freeze to provide for the acceptance of applications for modification of ITFS licenses to authorize transmitter site moves that result in facilities collocations, but which would otherwise be freeze-barred as "major changes."

P.R. Docket No. 92-80,[2] and without issuing a further notice of proposed rulemaking or soliciting comment on a further notice.

I. Background

ATI operates wireless cable systems in Billings, Montana; Colorado Springs, Colorado; Denver, Colorado; Little Rock, Arkansas; Louisville, Kentucky; South Bend, Indiana; Toledo, Ohio; Daytona Beach, Florida; Orlando, Florida; and Fort Myers, Florida. ATI is in the process of developing wireless cable systems in many other communities. ATI is a public company with over $150,000,000 in capital devoted to the development of ATI's existing and planned wireless cable systems.

On April 9, 1992, the Commission imposed the freeze on the filing of applications for new MDS[3] station licenses. That extraordinary action was taken to allow the Commission's processing staff to prepare data bases and to allow it to reduce the backlog of new MDS station license applications.[4]

Since that freeze was imposed, the Common Carrier Bureau has disposed of thousands of new MDS license applications, and the Commission has completed solicitations of information from licensees needed to ensure the accuracy of the MDS and ITFS data

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[2] Notice of Proposed Rulemaking, 7 F.C.C. Rcd. 3266 (1992); Report & Order, 71 R.R.2d 1356 (1993).

[3] The acronym "MDS" is used in this Petition to refer to both the single channel MDS and the multichannel MMDS.

[4] Notice of Proposed Rulemaking, 7 F.C.C. Rcd. 3266, 3270 (1992) (P.R. Docket No. 92-80).

bases. At this time, the backlog of MDS applications has been whittled to a manageable size.

While the application filing freeze was adopted with the concurrent statement that it would be both "short-term [and] temporary,"[5/] the freeze has remained in effect almost two years, which is long after the time of its expected abandonment. Considering the prior freeze on the filing of MDS applications from September 1991 until January 1992, legitimate wireless cable operators have had only 3 months out of the last 29 to file for new MDS station licenses.

II. Discussion

A. There Is a Pressing Need for Relief.

While the freeze has served a purpose, its continued duration is harming legitimate wireless cable system operators whose plans have been--quite unintentionally but significantly--disrupted by the freeze.

The problem is that the freeze, in effect, denies such operators access to needed MDS spectrum. Often critical to the competitive prospects of a wireless cable system is the availability to it of the E, F and H group MDS channels, because those channels can be devoted full time to the news, public affairs and entertainment uses of wireless cable.[6/] ATI finds

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5/ Id.

6/ In contrast, only part of the capacity of ITFS channels is available for wireless cable use due to the primary educational use of the ITFS channels.

in many markets that it cannot gain access to all or many of those channels because of the freeze.

Although this certainly was not the Commission's intent, the freeze seriously harms both legitimate wireless cable system operators and the public in a variety of ways, including:

- Forcing operators to aggregate a competitive complement of channels in an uneconomic, piecemeal fashion, which imposes costs while diminishing the operator's ability to earn revenues to defray those costs.

- Many developing operators find it competitively impossible to provide service prior to obtaining access to the commercial channels. They cannot schedule service launch dates and, as a result, are unable to prepare budgets that are essential to financing and planning.

- Many operators are forced for financial reasons to begin operations[7/] but, without the commercial channels, they may not be able to reach a critical mass of subscribers who will produce revenue sufficient to generate operating income.

- Those operators who are forced due to cost and investment considerations to launch their service with less than a competitive complement of channels are faced with a difficult marketing problem and, hence, the need for unanticipated price discounting.

- While those who must begin service with an incomplete complement of channels find the need for price discounting to compete, there is no significant

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7/ Many operators began securing their channel capacity pursuant to the licensing and leasing regime existing prior to the freeze, in full expectation of rapidly deploying operational wireless cable systems. At some point, these channels must be placed on the air, to allow the operators to begin recouping their investments and servicing their debts, to generate revenues needed to meet channel capacity and site lease obligations, and to further the Commission's overall goal of encouraging active use of licensed spectrum.

offsetting cost reduction.[8/] In the end, the return on investment is adversely affected or eliminated.

- The operator with such a channel deficiency who begins service does so at the risk of creating a first, but lasting, impression that it offers few channels to subscribers.

- The freeze either stops the development of wireless cable systems or forces systems with an inferior complement of channels to compete against entrenched cable TV monopolies, thus delaying the day when such monopolies must offer responsive and competitively priced service to the public.

From the perspective of such a wireless cable operator, it is difficult to understand how its interest in placing systems on the air--providing service to subscribers and real competition--could, in effect, find itself subordinated to the processing of a plethora of new station applications filed by largely ignorant speculators, many spurred by unscrupulous application mills. Nevertheless, that is the effect--however unintended--of the freeze. The Commission's staff continues to process the thousands of speculative and filing mill orchestrated applications received before the freeze but cannot accept new station applications by existing operators regardless of the value to the public of the services those operators seek to provide. Because of its broad scope, the freeze goes beyond its purpose of halting the corruption of processes by application

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[8/] The operator hobbled by such a channel deficiency still must incur virtually the entire headend cost but must recoup this cost plus marketing costs with reduced subscriber revenues. Significantly, a headend will cost close to $1,000,000. Little of that cost is the cost of transmitters and combiners. Rather, most of the headend cost must be incurred regardless of whether the wireless operator uses 2 or 32 channels.

mills and speculators, to sacrifice the Commission's oft-announced goals of promoting wireless cable as a competitive alternative to the cable monopoly.[9/] The relief ATI seeks in this Petition is carefully designed to rectify this situation.

B. ATI's Proposed Modification Satisfies Important Needs.

By adopting ATI's proposed modification, the Commission can continue to thwart the abuse of the Commission and the public by application mills and speculators while allowing legitimate wireless cable system operators to proceed with their plans.

Allowing only those who already have access to at least 9 channels in an area to apply for new MDS station licenses deprives the application mills of the ability to clog the Commission with new filings for those channels. In this regard, it is important to recognize how the application mills make their money to understand how ATI's refinement will foreclose them from participation in MDS. The mills make their money through the simple economy of scale of selling the same product multiple times. They do not file for many markets because they have no economies of scale in doing so, because the applications for each market must be prepared from scratch. Instead, the mills locate available frequencies in a few markets, prepare a set of master applications for each of those markets, and resell each master application to 70, 100, 150 or even more hapless persons. If an applicant must have pre-existing access to 9 frequencies in a

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9/ Notice of Proposed Rulemaking, 7 F.C.C. Rcd. at 4 (making this statement and citing various releases where the FCC has reiterated the policy).

market in order to qualify to apply for MDS frequencies in the market, the application mill is relegated to generally filing for only one person in a market,[10/] and not the 70, 100, 150 or more entities they have filed for in the past.

Restricting new applications to those who already have rights to 9 channels[11/] would go far to ensuring that the channels are licensed to the one entity most likely to develop the wireless cable system. As a result, the speed of channel acquisition is increased greatly, the costs of channel acquisition are reduced and the ability of the wireless cable operator to compete is correspondingly increased.

10/ It is mathematically possible for ATI's proposed applicant qualification to result in as many as 3 qualified persons in a market. Thus, the number of channels available in a market (32) could be divided 3 times to produce 3 sets of 10 channels while leaving additional channels (3) for application. ATI believes, however, that the Commission will rarely if ever see even 2 persons who meet ATI's qualifying standard in a single market. And even the maximum of three both (1) drastically reduces the application mills' incentive to clog the Commission's processes (since they can resell the same application only three times) and (2) slashes the mills' ability to clog the Commission's processes (since they can file in a market only three times).

11/ It is important for the Commission to recognize that the choice of the number of channels that will define the qualifying threshold is not subject to exact determination but is more a question of where in a range of possibilities, none necessarily better than the others, to "draw the line." That determination is a matter reserved by law to the Commission's discretion. Small Refiner Lead Phase-Down Task Force v. EPA, 705 F.2d 506, 525 (D.C. Cir. 1983)(upholding agency's choice of numerical standard if "within a zone of reasonableness") The number 9 is proposed because it tends to exclude the many speculators who have gained access to a single channel group and because the number represents, in ATI's judgment based upon its real-world experience, the threshold after which serious development of a market may proceed.

C. The Modification Can Be Made Without New Notice and Comment.

The limited relief ATI is requesting can be granted quickly, without issuing a notice of proposed rulemaking or allowing comment on that notice as normally required by Section 553 of the Administrative Procedure Act.[12] That notice and comment already exists in the form of the Notice of Proposed Rulemaking in terminated P.R. Docket No. 92-80 and in the form of the comments filed on that Notice. In that Notice, to quote Section 553, the Commission provided the "description of the issues" and "opportunity to participate in the rulemaking through submission of" comments which must precede the adoption of ATI's proposed modification of the freeze.[13] Thus, that Notice specified as its objectives, among others: (1) "to expedite the provision of wireless cable service...;"[14] and (2) to deter "speculative filings."[15] Further, that Notice asked "commenters to set forth alternative suggestions and all recommendations that in their view would prove more efficacious in terms of either easing the burden on applicants or the Commission, or in accomplishing

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12/ 5 U.S.C. § 553 (1993).

13/ For purposes of this discussion, ATI has assumed that its proposed freeze modification is substantive. It is at least arguable, however, that ATI's proposed modification is procedural for purposes of Section 553 and, for that reason, it is not subject to the notice and comment requirements of Section 553.

14/ 7 F.C.C. Rcd. at 3267.

15/ Id.

the goals of this proceeding in general."[16] ATI's proposal fits within those objectives and that invitation.[17] As a result, it is clear that, if P.R. Docket No. 92-80 were not yet terminated, the Commission could have lawfully included ATI's suggestion in a report and order in that docket.

But, even though that docket was terminated, the termination does not impair the Commission's ability to reopen the docket and to adopt ATI's suggestion without additional notice or opportunity to comment.[18] There is nothing in the Administrative Procedure Act that bars an agency from opening a terminated rulemaking proceeding, nor does the fact of proceeding termination bind the agency in any other way.[19] The only procedural issue one might raise is whether the P.R. Docket 92-80 Notice has become stale. In this case, the comment period and

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16/ Id. at 3270.

17/ "The notice requirement [of Section 553] is satisfied so long as the content of the agency's final rule is a 'logical outgrowth' of its rulemaking proposal. ARINC v. FCC, 68 R.R.2d 1387, 1400 (D.C. Cir. 1991). ATI's proposed rule is a logical outgrowth of the content of the Notice of Proposed Rulemaking.

18/ Indeed, insofar as the freeze is an unresolved product of that Docket, it can be argued that the Docket is not terminated insofar as the freeze is concerned.

19/ Section 553 does not recognize the termination of a proceeding and we know of no other law that requires any additional procedure to re-open a proceeding or to make rules based upon its notice and comments. Indeed, the United States Supreme Court has made clear that Section 553 sets forth the most that will be required of agencies, and that "the discretion of the agencies and not that of the courts be exercised in determining when extra procedural devices should be employed." Vermont Yankee Power v. Natural Resources Defense Counsel, 435 U.S. 519, 547 (1978)(emphasis in original).

the Notice are not yet 2 years old and the freeze has largely preserved the status quo that existed upon the adoption of the Notice.[20/]

III. Conclusion

American Telecasting, Inc. shares with many serious wireless cable operators the need to proceed with channel acquisition activities. The MDS application filing freeze is so broad that, while not designed to punish the serious wireless cable system operator, it has the effect of impairing legitimate market development efforts that the Commission would support a matter of policy. Recognizing the Commission's interest in retaining its flexibility, American Telecasting's proposed refinement to the freeze would enable wireless cable operators to proceed with their channel acquisition activities without opening the

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20/ If, nonetheless, the Commission is uncomfortable with ATI's procedural recommendations, the Commission could state in the Federal Register that it is re-opening the docket and desires further comment for a 30 day period. Following that period, the Commission could adopt ATI's proposed freeze exemption.

Commission's doors to the filing mills whose behavior led to the imposition of the freezes.

Respectfully submitted,

AMERICAN TELECASTING, INC.

By: _____
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February 4, 1994

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ANDREWS OFFICE PRODUCTS CAPITOL HEIGHTS, MD (K)

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·DOW JONES HISTORICAL
STOCK QUOTE REPORTER SERVICE

STOCK ACSE ACS Enterprises

1994 MONTHLY SUMMARY

DATE	HIGH	LOW	CLOSE	VOL(100/S)
01/94	17	14	15 3/4	3401
02/94	17	15	16	25871
03/94	22 1/2	16	17 1/2	16793
04/94	18 3/4	15	15 1/2	4467
05/94	16 3/4	13 7/8	14	12353
06/94	15	12	12 1/2	7671
07/94	12 3/4	9 1/2	10	13874
08/94	12 3/4	10	12 1/8	6641
09/94	14 1/4	12	13 3/4	6002
10/94	14	7 3/4	8 1/2	15061
11/94	9	7 1/4	7 1/2	10843
12/94	8 3/4	5 1/2	8 3/4	11464
12/27/94	7 5/8	6 3/4	7 5/8	333
12/28/94	8 1/2	7 1/4	8 1/4	623
12/29/94	8 3/4	8	8	681
12/30/94	8 3/4	8	8 3/4	341
01/03/95	9 1/4	8 3/4	9	87
01/04/95	9 1/4	8 1/2	8 1/2	98
01/05/95	9	8 1/2	8 5/8	136
01/06/95	9	8 1/2	8 1/2	334
01/09/95	9 1/2	9	9	646
01/10/95	9 1/8	8 3/4	9	75
01/11/95	9 1/4	8 1/2	8 7/8	593
01/12/95	8 7/8	8 1/2	8 3/4	127

STOCK CAWS CAI Wireless

1994 MONTHLY SUMMARY

DATE	HIGH	LOW	CLOSE	VOL(100/S)
01/94			NOT TRADED	
02/94	12 1/2	11 1/2	12	42763
03/94	16 1/2	11	11 3/4	24247
04/94	13	10 3/4	11 1/4	6426
05/94	11 1/2	11	11 1/4	6767
06/94	11	10	10 1/4	6319
07/94	10 1/4	10	10	7263
08/94	11 1/2	10	11	10801
09/94	13	11	12	11813
10/94	12	10	10 1/8	4112
11/94	10 1/4	8 1/4	8 1/2	11607
12/94	8 3/4	7	7 3/8	5192
12/27/94	7 5/8	7 1/4	7 3/8	272
12/28/94	7 3/8	7 1/4	7 1/4	193
12/29/94	7 3/4	7 1/4	7 1/4	41
12/30/94	7 3/4	7 1/4	7 3/8	112
01/03/95	7 3/4	7 1/4	7 1/2	133
01/04/95	8	7 1/4	8	229
01/05/95	8	7 1/2	7 1/2	576
01/06/95	8	7 1/2	8	754
01/09/95	8	7 1/2	8	151
01/10/95	8	7 5/8	8	77
01/11/95	8	7 5/8	7 5/8	43