

OFFICE OF GENERAL COUNSEL

M E M O R A N D U M

TO: Chief, PIRS **DOCKET FILE COPY ORIGINAL**

FROM: Associate General Counsel, Litigation Division

SUBJECT: The Bell Atlantic Telephone Companies v. FCC & USA, No. 95-1335. Filing of one new Petition for Review filed in the United States Court of Appeals for the District of Columbia Circuit.

DATE: July 10, 1995

Docket No(s). MM 92-264

File No (s).

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This is to advise you that The Bell Atlantic Telephone Companies on June 30, 1995, filed Section 402(a) Petition for Review: In the Matter of Implementation of Section 11(c) of the Cable Television Consumer Protection and Competition Act of 1992, Vertical Ownership Limits, FCC 95-147, released April 6, 1995.

Bell Atlantic challenges the FCC's decision to apply the channel occupancy limits under the 1992 Cable Act to cable systems that face actual head-to-hed competition. Bell Atlantic contends that application of the channel occupancy limits to competitive cable systems is unconstitutional as well as arbitrary and capricious.

Due to a change in the Communications Act, it will not be necessary to notify the parties of this filing.

The Court has docketed this case as No. 95-1335 and the attorney assigned to handle the litigation is James M. Carr.

Daniel M. Armstrong

cc: General Counsel
Office of Public Affairs
Shepard's Citations