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July 13, 1995

HAND DELIVER

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

RECEIVED

JUL 13 1995

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

Re: PP Docket No. 93-253; GEN Dkt. No. 90-314; GEN Dkt. No. 93-252  
Ex Parte Presentation

Dear Mr. Caton:

Pursuant to Section 1.1206 of the Commission's Rules, this letter is to advise you that Mark Tauber, of Piper & Marbury L.L.P., and I met today with Rudolfo Baca, Legal Advisor to Commissioner Quello. At the meeting, we discussed Omnipoint's position on the issues raised by the Further Notice of Proposed Rulemaking, released June 23, 1995, as articulated in Omnipoint's comments filed in the above-referenced dockets on July 7, 1995. We also expressed our view that several participants are publicly committed to enter the auctions, and that the proposed expansion of the "49% equity exception" would threaten the very purpose of the Entrepreneur's Band.

We expressed our support for the alternative to the proposed extension of the "49% equity exception" that would permit applicants to enter the auction under the "49% equity exception" but then require any auction winners to conform to the "25% equity exception" within a set period of time after the auction.

We also conveyed that Omnipoint is strongly opposed to the 49% equity exception as proposed, and that it is considering court action should the Commission adopt the proposed rule.

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Mr. William F. Caton  
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In accordance with the Commission's rules, I hereby submit one original and five copies of this letter, for inclusion in each of the above-referenced dockets.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. O'Connor". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark J. O'Connor  
Counsel for Omnipoint Corporation

cc: Rudolfo Baca