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GERARD J. WALDRON\*  
(202) 662-5360

\* MEMBER OF THE BAR OF PENNSYLVANIA  
NOT ADMITTED IN THE DISTRICT OF COLUMBIA

July 19, 1995

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

RECEIVED  
JUL 20 1995  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Re: Ex Parte Presentation in ET Dockets No. 94-31,  
and IC Docket No. 94-32

The Association for Maximum Service Television, Capital Cities/ABC, CBS, Fox, NBC, and the National Association of Broadcasters, pursuant to Section 1.1206(a)(2) of the Commission's Rules, 47 C.F.R. 1.1206(a)(2), hereby notifies the Commission that their representatives met on July 18, 1995, with Commissioner Chong and her senior legal advisor Jane Mago; and Lisa Smith and Brian Carter, legal advisors to Commissioner Barrett. A summary of the presentations made at these meetings is attached.

Pursuant to section 1.1206 of the Commission's rules, this original and one copy have been submitted to the Secretary, and a copy supplied to each staff person present. If there are any questions on this matter, please contact the undersigned.

Sincerely,

*Gerard J. Waldron*  
Gerard J. Waldron, Esq.\*

cc: Commissioner Rachelle B. Chong  
Jane Mago, Esq.  
Lisa B. Smith, Esq.  
Brian Carter, Esq.

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# **BROADCAST AUXILIARY SPECTRUM**

## **ALL-INDUSTRY COALITION**

- **ABC**
- **CBS**
- **NBC**
- **PBS**
- **RTNDA**
- **APTS**
- **NAB**
- **MSTV**
- **SBE**

**10 Joint FCC Filings and Numerous  
Supplementary Filings by Members  
of Coalition**

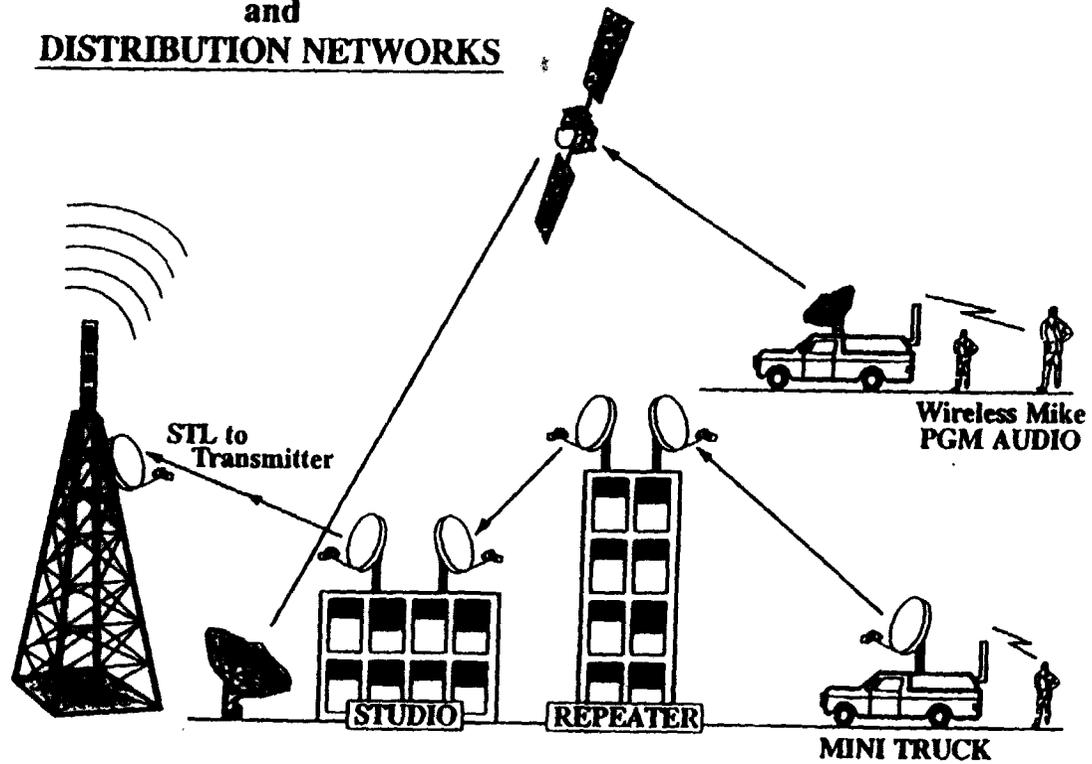
## **BROADCAST AUXILIARY SPECTRUM**

### **TOPIC**

- **Reallocation of 2GHz ENG Spectrum to MSS  
{ET Dockets No. 94-31/95-18}**
- **ENG/STL Spectrum Requirements for Digital ATV. (4 GHz)  
{IC Docket No. 94-32}**

# BROADCAST AUXILIARY SPECTRUM

## CONTRIBUTION and DISTRIBUTION NETWORKS



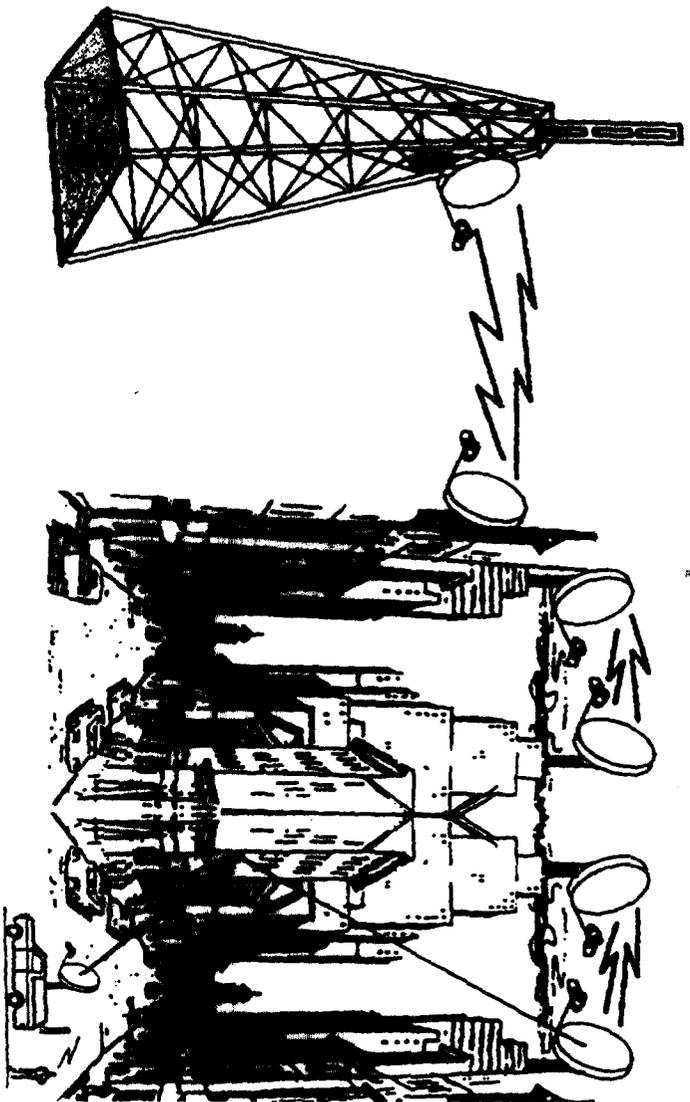
## **BROADCAST AUXILIARY SPECTRUM**

### **2 GHZ SPECTRUM**

- **120 MHz Spectrum  
(1990 - 2110 MHz)**
- **Seven Channels**
- **Broadcasters and Cable Networks**
- **Increase 15% Per Year**

# BROADCAST AUXILIARY SPECTRUM

2 GHz ADVANTAGE



# **BROADCAST AUXILIARY SPECTRUM**

## **BROADCASTERS POSITION**

- **Do not oppose FCC Proposal to Relocate ENG Channels 1 and 2 in Spectrum above ENG Channel 7, Provided that MSS Fully Underwrite Cost of Move**
- **Oppose Expedited Timetable or Changes to WARC-92 Global MSS Allocation in Upcoming WRC-95**

## **BROADCAST AUXILIARY SPECTRUM**

### **MSS POSITION**

- **Relocation of ENG Channels 1 and 2 in Spectrum above ENG Channel 7 is Cost-Prohibitive (\$3.2 billion)**
- **Reduce Amount of 2 GHz ENG Spectrum Available to Broadcasters**

# **BROADCAST AUXILIARY SPECTRUM**

## **ISSUES**

- **MSS Spectrum Needs**
- **WARC-95 Allocation for MSS**
- **Digital ENG Equipment**

## **BROADCAST AUXILIARY SPECTRUM**

### **WHY 4 GHZ ?**

- **Need Additional ENG Spectrum to Implement ATV**
- **Only Spectrum Wide Enough to Accommodate Video Transmission**
- **Contiguous to Spectrum Soon to be Transferred from Government -- Potential for Growth**

## **BROADCAST AUXILIARY SPECTRUM**

### **FCC 4 GHZ PROPOSAL**

- **Make spectrum available to different users, (wireless cable, ENG, aeronautical, etc.) under a newly-created broad service class**
- **Auction spectrum among different users**
- **Questionable legality**

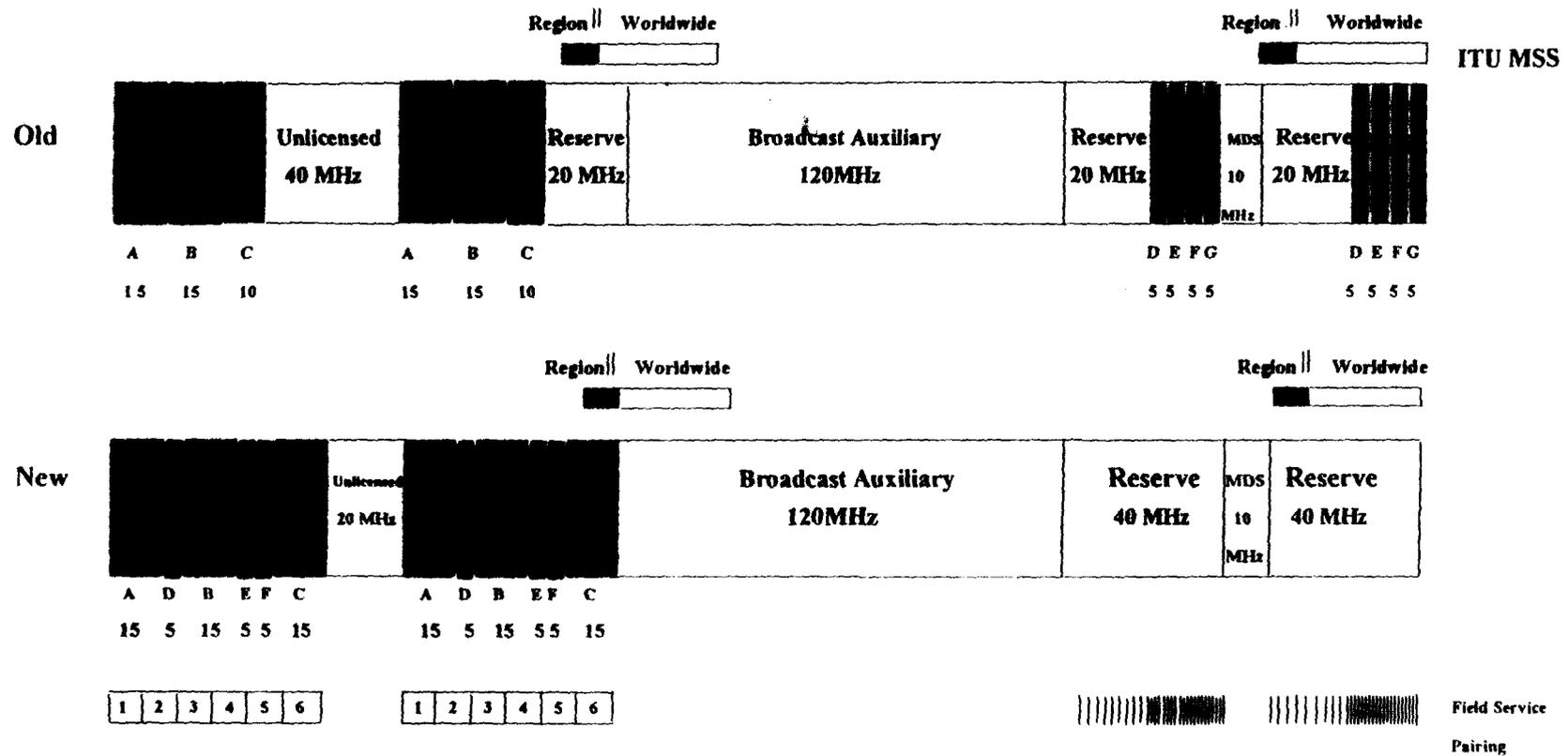
## **BROADCAST AUXILIARY SPECTRUM**

### **RECOMMENDATION**

- **Defer Action on 2 GHz reallocation until after (a) WARC-95 and (b) Reliable Information on MSS's Real Spectrum Needs**
- **Defer Action or Postpone Implementation of Service Rules at 4 GHz in Docket 94-32 until FCC has Completed a Survey of ENG, MSS and other Competing Spectrum Needs**

# Broadband PCS Band Plan

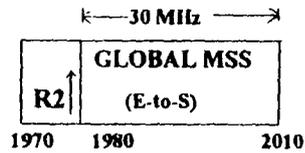
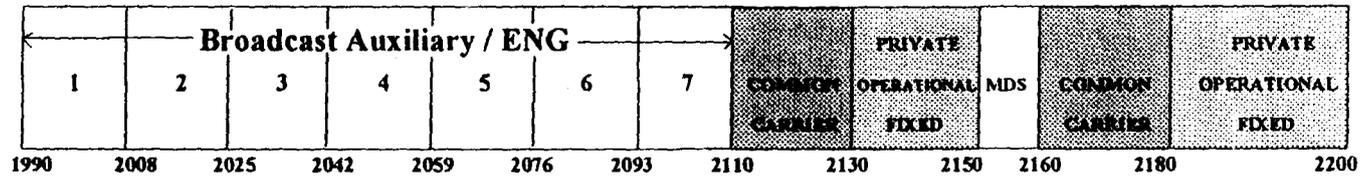
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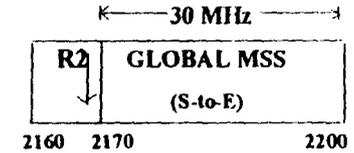
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# FCC's Proposed Re-allocation of 2 GHz Bands

1995  
Existing Plan  
BAS / ENG



WARC-92 MSS  
ALLOCATIONS



OLD BAS / ENG  
Channel 1/2

