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March 21, 1996

William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., MS Code 1170
Washington, D.C. 20544

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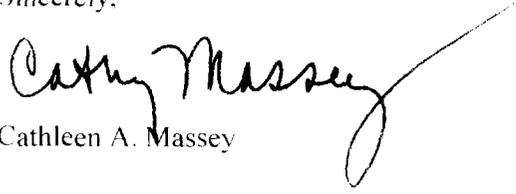
RE: Ex Parte Presentation
Amendment to the Commission's Rules Regarding a Plan for Sharing the Costs of Microwave Relocation
WT Docket No. 95-157

Dear Mr. Caton:

Pursuant to the requirements of Sections 1.1200 et seq of the Commission's Rules, you are hereby notified that a meeting occurred yesterday regarding issues raised in the above-referenced docket. John Thompson, Senior Vice President of AT&T Wireless Services, Inc., David Jatlow of Young and Jatlow, and I met with Karen Brinkmann and Roz Allen of the Wireless Telecommunications Bureau. Attached is a summary of AT&T Wireless' views discussed at the meeting.

Should there be any questions regarding this matter, please contact me.

Sincerely,


Cathleen A. Massey

cc: Roz Allen
Karen Brinkmann



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- **A cost-sharing mechanism should be implemented as rapidly as possible.**
 - PCS licensees should be able to enter into cost-sharing agreements in lieu of any mechanism adopted by the Commission.
 - Any cost-sharing clearinghouse should be established through a competitive process.
 - A cost sharing cap must be established and the Commission should adopt a rule that permits relocators to qualify for reimbursement for cash transactions up to the cap amount without having to establish the reasonableness of such payments.
- **The Commission should require incumbents to bargain in good faith at all times.**
 - If the Commission finds that incumbent microwave users are not negotiating in good faith it should require the commencement of the mandatory period.
 - The Commission should establish specific benchmarks for good faith and bad faith. For example, rejection of an offer to replace facilities with upgraded equipment or demands unassociated with use of relocation of microwave facilities should be deemed to constitute bad faith. Demands that exceed the value of comparable facilities by more than 20% should also be deemed bad faith.
 - PCS providers should not be required to shoulder incumbents' engineering, legal, travel or other consultants' costs.
- **The Commission should establish a quick, clear process for terminating the licenses and operations of licensees that have discontinued operations or that have secondary status.**
- **Incumbents should be allowed to waive all rights by contract.**
- **Microwave licensees should be required to terminate operations in the ET band by no later than the end of the mandatory negotiation period, regardless of the status of the negotiations.**