RM 222

LCOR

LCOR Incorporated

LCOR Incorporated
Corporate Office
300 Berwyn Park,
Suite 115
Berwyn, PA 19312
(610) 251-9100
FAX (610) 640-0516

DATE: March 18, 1996

TO: William F. Caton

COMPANY: Federal Communications Comm.

FAX NUMBER: 202 - ~~632 - 6975~~ 418 - 2813

FROM: Tom O'Brien

NUMBER OF PAGES (Including the Transmittal Sheet): 3

ADDITIONAL COMMENTS:

☐ Confirmation Copy to Follow by ☐ mail, ☐ overnight deliver.
☐ No copy to follow

SENDER:

171 Gateshead Way
Phoenixville, PA 19460
(610) 948-3463

RECEIVED

MAR 19 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

VIA FAX 202-418-2813

March 18, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M St. NW, Room 222
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

RE: PENDING RULEMAKING ON TELECOMMUNICATIONS SERVICES; CS DOCKET NO. 95-184

Dear Mr. Caton:

I am writing to express my concern over certain aspects of the FCC's Notice of Proposed Rulemaking of January 26, 1996 regarding telecommunications wiring of buildings.

My company and I are greatly concerned that any action by the FCC regarding access to private property by myriad communications companies may adversely affect the conduct of our business and ferment contentious legal disputes between property owners, tenants, and communications providers. We urge the FCC to carefully consider the impact on private property owners of any proposed rulemaking. Our specific concerns are as follows.

Access to Private Property. The real estate market has been quite efficient in ensuring availability of reliable telephone and cable service to residents at reasonable cost. Government intervention is neither necessary nor desirable to ensure availability of telecommunications services and we believe that such intervention would have the effect of interfering with our ability to effectively manage our properties and ensure tenants' safety and security.

Connections and Regulation of Wiring. There are already standards and building codes in place governing inside wiring. The real estate industry does not need an overlay of new FCC "building codes" on top of those already imposed by local jurisdictions.

Tenant Access to Wiring. This should remain a matter governed by state property law and should focus on leaving a property owner in control of the wiring in his own building. The real estate industry is very competitive. If a particular wiring configuration is demonstrably more beneficial to a meaningful number of tenants, property owners will offer it for competitive reasons. Government regulations mandating specific wire access requirements will saddle businesses and consumers with unnecessary costs.

No. of Copies rec'd 1
List ABCDE

The fact of the matter is that without federal regulation of building wiring American consumers and businesses already enjoy the most advanced and among the most cost-effective communications services in the world. This is true whether they own or rent their premises. In this environment, another layer of government mandates to private property owners is unnecessary and would likely be harmful to our economy's global competitiveness.

Sincerely,

Thomas J. O'Brien

TOB/kjh

RM 222

de Ville Southwest
820 Southwest Blvd.
Jefferson City, Missouri 65101
635-0613

RECEIVED
MAR 19 1996
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mar5ch 18, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, Dc 2-554
FAX No. 202-418-2813

DOCKET FILE COPY ORIGINAL

RE: Telecommunications Services CS Dockct No. 95-184.

Dear Mr. Caton,

I am writing in rcsponsc to the FCC's notice of Proposed Rulemanking released on January 26, 1996, regarding telephone and cable wiring of buildings.

We own a 362 unit apartmcnt complex in Jefferson City, Missouri and it has been our experience that cablc companies have caused considerable destruction to our grounds and buildings. They have left open trenches, which is a safety hazard especially for children. We have had a lot of problems with too many wires being stapeled to our buildings and when they change the wiring they leave the old wires there. Often they place wires indiscriminately, which detracts from the esthetics of the buildings.

We have no objection to our residents receiving the latest in communication tehchnology, however we feel that any cable installation in our apartments should not be made without our approval. **We need to control the location and integrity of this installation in order to maintain a neat, clean and safe environment for our residents.**

Sincerely,

B. A. Schanzmeyer
Partner

No. of Copies rec'd 1
List ABCDE

RM 222

810 Wildwood Dr.
Highway 50 West
Jefferson City, Missouri 65109
Phone: 314/893-3240

JEFFERSON WEST APT'S.

March 18, 1996

RECEIVED

MAR 19 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

DOCKET FILE COPY ORIGINAL

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

RE: Telecommunications Services--Inside Wiring, Customer Premises Equipment, CS Docket No. 95-184.

Dear Mr. Caton:

We own Jefferson West Apartments in Jefferson City, Missouri and we have cable connections to all our resident apartments even if they do not use the service.

With our present cable company (TCI) we have a lot of problems such as too many wires stapled to our buildings and old wires are left if changes are needed. Often they indiscriminately place wires where they show and look bad. We have complained but it does not help.

In our complex they have had no regard for our property or the safety our residents. They have left open trenches for up to 6 months which has caused complaints from our residents and has threatened the safety of the children.

We are opposed to any regulation that takes away our property rights and allows access to our property. This is an example of government accomodating big business at the expense of and ignoring the constitutional rights of property owners. We must have control of any activities on our property. We can't have six different cable carriers digging across our property or installing hundreds of different satellite dishes on the roofs of our buildings.

This letter is in response to the FCC's Notice of Proposed Rulemaking released on January 26, 1996, regarding telephone and cable wiring inside buildings. We have faxed this letter and have enclosed four (4) additional copies of this letter to you. We are concerned that any action by the FCC regarding access to private

No. of Copies rec'd 1
List ABCDE

property by large numbers of communications companies may inadvertently and unnecessarily adversely affect the conduct of our business and needlessly raise additional legal issues. The Commission's public notice also raises a number of other issues that concern us. We urge the FCC to consider carefully any action it amy take.

You and your office have the power to protect us don't abuse our property rights.

Sincerely,

Marian Lightner

Marian Lightner

PM 222

P.O. Box 321 • Jefferson City, Missouri 65102 • 314/634-4401

March 18, 1996

DOCKET FILE COPY ORIGINAL

RECEIVED

MAR 19 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

RE: Telecommunications Services--Inside Wiring, Customer Premises Equipment, CS Docket No. 95-184.

Dear Mr. Caton:

The Missouri Apartment Association which represents thousands of apartments in the state of Missouri is opposed to any regulation that would affect the property rights of the owner and its residents.

We are committed to making sure that efficient telephone and cable service is provided to our residents at a reasonable cost. Government intervention is neither necessary nor desirable to ensure service. We believe that such intervention would affect the management of our owners properties.

If there is a need in the future then it should be governed by state property laws. We must be able to control activities on our properties if need be.

Sincerely,

Ferd Lightner
President

No. of Copies rec'd 1
List ABCDE

RM 222

TishmanSpeyer Properties

520 Madison Avenue
New York, New York 10022

Direct Line. 212-
Telex. ITT 424096 TSP UI
Fax 212-319-1745

We are transmitting -3- pages (including cover sheet)

FAX MACHINE COVER LETTER

DATE: MARCH 18, 1996 TIME:

This fax message is intended only for the Personal and Confidential use of the person named below. It may be an attorney-client communication, and/or may contain information this is privileged and/or confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that **any review, dissemination, distribution or copying of it is strictly prohibited**. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail.

NAME: MR. WILLIAM F. CATON

FIRM: Federal Communications Commission

CITY:

FAX NO.: (202) 418-2813

FROM: Charles J. Mahoney, Tishman Speyer Properties

PHONE: (212) 715-0357

REMARKS: PLEASE SEE ATTACHED TWO (2) PAGE LETTER. Thank you.

TishmanSpeyer
Properties

520 Madison Avenue
New York, New York 10022

Direct Line: 212- 715-0357
Fax: 212-319-1745

RECEIVED

MAR 19 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

March 15, 1996

-VIA FAX-
(202) 418-2813

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

DOCKET FILE COPY ORIGINAL

RE: Telecommunications Services - Inside Wiring
Customer Premises Equipment, CS Docket No. 95-184

Dear Mr. Caton:

I am writing in response to the FCC's Notice of Proposed Rulemaking released on January 26, 1996, regarding telephone and cable wiring inside buildings. As the Managing Director of Tishman Speyer Properties which owns and/or manages six commercial buildings with over 5 million square feet of office space in New York City, I am concerned that any action by the FCC may adversely affect the conduct of our business and needlessly raise important legal issues.

Access to Private Property

Modern telecommunications are critically important to our commercial tenants. No business can survive in today's economy without effective and up-to-date telecommunications services. For that reason, it is vital for us to ensure that our tenants receive all the services they desire at a reasonable cost. The commercial real estate business is fiercely competitive, and if we did not provide our tenants with access to the latest telecommunications services, we could not survive ourselves.

Government intervention, therefore, is not necessary to ensure that telecommunications service providers can serve our tenants. Such intervention could have the unintended effect of interfering with our ability to effectively manage our properties. Building owners and managers have a great many responsibilities that can only be met if their rights are preserved, including coordination among tenants and service providers; managing limited physical and riser space; ensuring the security of tenants and visitors; and compliance with safety codes. Needless regulation will not only harm our interests, but those of our tenants and the public at large.

No. of Copies rec'd 1
List ABCDE

TishmanSpeyer
Properties

Mr. William F. Caton
March 15, 1996
-Page 2-

Regulation of Wiring/Access to Wiring

The FCC has requested comments on whether the convergence of cable and telephone technologies means that the current approaches to regulating inside wiring for the two technologies should be revised to reflect that convergence. For the most part, this strikes us as a technical issue that we need not address. We are concerned, however, that any such rules not impose any new obligations on building owners with respect to control of inside wiring. Ownership of inside wiring should remain a matter of private contract and state property law.

We are also concerned that the government might impose a huge new expense on telecommunications service providers and building owners by requiring retrofitting of existing buildings. Except where safety is involved, amendments to the building and electrical codes are seldom retroactive.

We have no obligation to permitting customer to install or maintain its own wiring or buy the wiring from a service provider, provided that the rights of the owner of the premises are taken into account. A tenant's rights to wiring should not extend beyond the limits of the demised premises, and the landlord must retain the right to obtain access to the wiring and control the type and placement of such wiring. We also believe that the owner of the premises should have a superseding right to acquire or install any wiring. In any case a tenant's right to acquire or install wiring should be governed by state property law and the terms of the tenant's lease. We must retain the right to control activities on our own property if need be.

Demarcation Point

The demarcation point should be determined by the nature of the property, located inside the premises in a commercial building in the telephone vault or frame room, and outside a resident's premises in an apartment building.

Thank you for you attention to our concerns.

Very truly yours,

Charles J. Mahoney

Charles J. Mahoney
Managing Director