

DOCKET FILE COPY ORIGINAL

ORIGINAL RECEIVED

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

APR - 2 1996

FEDERAL COMMUNICATIONS COMMISSION
STAFF SECRETARY

APR - 2 1996

In the Matter of)

Revision of Part 22 and Part 90
of the Commission's Rules to
Facilitate Future Development
of Paging Systems)

WT Docket No. 96-18 ✓

Implementation of Section 309(j)
of the Communications Act --
Competitive Bidding)

PP Docket No. 93-253

To: The Commission

**REPLY COMMENTS OF THE PAGING LICENSEES ON
THE COMMISSION'S MARKET AREA LICENSING PROPOSAL**

The Law Firm of Blooston, Mordkofsky, Jackson & Dickens, on behalf of its private carrier paging clients listed in Attachment A hereto (the Paging Licensees), and pursuant to Section 1.415(c) of the Commission's Rules, hereby submits reply comments in the above-captioned proceeding.

I. The Record Shows That The Commission Should Not Implement Its Market Area Licensing Proposal.

The record developed by the Commission in this proceeding, through comments filed by small, medium, large, and even some very large paging carriers, demonstrates overwhelming support for the proposition that implementation of the Commission's market area licensing proposal (and the attendant auctions) is not in the public interest. See e.g. Comments of Teletouch Licenses, Inc. at 2-9; Comments of Jon D. Word and Pioneer Telephone Cooperative, Inc. at 3-4; Comments of the Paging Licensees at 1-10; Comments of Ameritech Mobile Services, Inc. at 1; Comments of Mobilemedia Communications, Inc. at 4; Comments of The Paging Coalition at 2-7; Comments of Datafon II, Inc. and Zipcall Long Distance, Inc. at 2-4; Comments of Supercom, Inc. at 3-9; Comments of A+ Network at 17-18; and Comments of Mashell Connect, Inc. at 2-8. The Paging Licensees note that

0710

all of the support for the Commission's market area licensing proposal, however limited, comes mainly from only the nation's largest paging carriers, such as Paging Network, Inc. and Airtouch Paging, as well as the Personal Communications Industry Association (PCIA) (which on this issue does not appear to represent the viewpoint of a majority of the more than 600 or so licensees in the paging industry).

A. The Commission Should Not Convert the Shared Private Carrier VHF and UHF Channels to Exclusive Use to Establish Auctions.

The Paging Licensees are concerned that the Commission will convert the shared private carrier VHF and UHF paging frequencies to exclusive use solely for the purpose of creating auctions. Such action would be contrary to the public interest in that it is undisputed in the record that the paging industry is highly competitive and that the shared private carrier paging frequencies are heavily licensed. See Notice of Proposed Rulemaking (NPRM) at Para. 17; Comments of Teletouch Licenses, Inc. at 2-5; Comments of the Paging Licensees at 2-5; Comments of A+ Network at 17-18. Thus, any attempt to license the shared VHF and UHF frequencies by auctions would be highly disruptive to primarily small businesses since carriers would not be able to meet future subscriber demands for service improvements. In a separate proceeding, the Commission recently concluded that converting the shared VHF and UHF paging frequencies to exclusive use would not be appropriate given the significant differences in the licensing environment between these bands and the 929 MHz paging band, as well as the differing propagation characteristics between the two bands. See PCP Exclusivity Order, Report and Order, 8 FCC Rcd. 8318 (1993). PCIA and Airtouch Paging now urge the Commission to reconsider that decision and convert the shared VHF and UHF frequencies to exclusive use (or a hybrid form of exclusive use similar to the local and regional licensing schemes adopted by the Commission for the 929 MHz paging bands), consistent with the Petition for Rule Making of the Association for Private Carrier Paging Section of the National Association of Business and

Educational Radio, Inc. filed July 11, 1994. Comments of PCIA at 15; Comments of Airtouch Paging at 13.¹

The Paging Licensees believe that the regulatory scheme adopted for the 929 MHz paging band is not appropriate for the shared VHF and UHF frequencies since many of the shared VHF and UHF channels are heavily loaded with traffic and fully occupied during peak hours.² The Paging Licensees believe that conversion of these shared frequencies to exclusive licensing at this late date is now even less appropriate than when first considered by the Commission. Comments of Teletouch Licenses, Inc. at 5; Comments of the Paging Licensees at 5. Since 1993, when the Commission declined to convert the shared use VHF and UHF frequencies to exclusive use in its PCP Exclusivity Order, significant licensing has occurred on these channels as carriers have attempted to build out their systems or establish additional paging systems in order to meet subscriber demands for service. This licensing activity has created additional congestion in this already heavily licensed spectrum which most carriers, to their credit, have efficiently managed. The result is that most pages can be transmitted in a reasonable amount of time.³ Accordingly, because the spectrum is heavily licensed, conversion to exclusive use licensing and overlay auctions would be imprudent.

¹ Airtouch Paging takes its proposal one step further, and urges the Commission to adopt market area licensing for the shared VHF and UHF frequencies, presumably using the Rand McNally Major Trading Areas to define market size. Comments of Airtouch Paging at 13-15.

² In fact, some systems have so many subscribers that paging calls are transmitted continuously during virtually the entire business day.

³ In many instances where co-channel systems are located nearby, the carriers have taken steps to prevent transmitting on top of each other by either tying their terminals together or by purchasing monitoring equipment which ensures that the channel is not occupied prior to transmitting and, if necessary, shutting the transmitter off after a pre-set period of time.

In this regard, the NPRM does not recognize the fact that operators of internal paging systems (e.g., hospitals, manufacturing facilities, etc.) are also licensed on these shared channels. These entities use the shared frequencies in order to ensure a "secure" means of communications, over which they have some measures of control for priority pages. The presence of these systems on the shared channels only further complicates the implementation of auctions, and demonstrates that market area licensing is impracticable and would be contrary to the public interest. As a result, operators of internal paging systems will not be able to modify their systems in order to meet their specialized communications needs. Since many of these systems are operated by hospitals, the Commission's proposal contravenes the mandate of Section 1 of the Communications Act to further the use of radio for safety purposes.

The record also reflects that market area licensing of shared spectrum would extend beyond the Commission's auction authority. The Commission may only auction spectrum to choose between mutually exclusive applicants. In that the private carrier VHF and UHF spectrum is shared, by definition there can be no mutual exclusivity between applications for this spectrum. Moreover, this heavily licensed spectrum is of little value to new entrants. See Comments of A+ Network at 18. Implementing exclusivity for the purpose of artificially creating mutual exclusivity in order to justify auctions is contrary to the authority granted to the Commission in Section 307(j)(7)(A) of the Communications Act of 1934, as amended (the Act). This portion of the auction statute prohibits the Commission from using competitive bidding for the primary purpose of creating revenues for the Federal treasury. It also contravenes Section 309(j)(6)(E) of the Act, which directs the Commission to make every effort "through engineering solutions, negotiation, threshold qualifications, service regulations, and other means, in order to avoid mutual exclusivity in application and licensing proceedings." (underlining added). Shared use licensing is a method of avoiding

mutual exclusivity in the application and licensing proceedings for the shared VHF and UHF frequencies. By adopting market area licensing for these channels, the Commission would flout the purpose and intent of Section 309(j)(6)(E) of the Act by artificially creating mutual exclusivity rather than avoiding it. Accordingly, the Paging Licensees urge the Commission not to adopt Airtouch Paging's suggestion that auctions be used for the shared VHF and UHF paging spectrum.

II. The Commission Should Take Steps to Cap Further Licensing of New Entrants Once the Channel is Saturated.

The Paging Licensees have reviewed the comments of PCIA and agrees, in principle, that the Commission should take affirmative steps to preclude the licensing of new carriers on the shared VHF and UHF frequencies where the channels have become so congested as to be virtually saturated. See e.g., Comments of PCIA at 15; Amendment of the Commission's Rules and Regulations Concerning Shared Use of 150 MHz and 460 MHz Paging Frequencies, Petition for Rule Making of the Association for Private Carrier Paging Section of the National Association of Business and Educational Radio, Inc. (filed July 11, 1994) (hereinafter Petition for Rule Making), at 9. While the Paging Licensees do not support the conversion of this "shared" spectrum to "exclusive" licensing, it believes that the Commission should issue, where necessary, moratoriums on licensing additional carriers where incumbent licensees are able to demonstrate, through empirical traffic load studies, that at least 80 percent of the channel capacity is in use during the busiest hours of the day. This cap would not change the shared nature of the channels since multiple entities would continue to use the frequencies in an efficient manner. Instead, the cap would merely prevent harmful interference due to destructive congestion.

The Paging Licensees recognize, however, that incumbent carriers licensed on a particular frequency, which is subject to a licensing moratorium, must retain the capability

to "grow" their systems in order to meet subscriber demand. Such expansion rights would include the right to establish additional co-channel transmitters within a 40-mile radius of the carrier's nearest co-channel transmitter. Thus, for example, if an incumbent carrier has a transmitter in Arlington, Virginia, the Paging Licensees would not dispute the incumbent carrier's right to establish additional co-channel transmitters as far south as Fredericksburg, Virginia, as far west as Broad Run, Virginia, and as far north as Baltimore, Maryland, in order to meet subscriber demand. This is so because many residents of the Washington, D.C. metropolitan area regularly travel within this region. On the other hand, the Paging Licensees propose that an expansion request of a carrier licensed on the same frequency in New Jersey, to establish a transmitter in Washington, D.C. would be barred by the moratorium. In this way, the Commission would be able to ensure the carriers' ability to provide quality paging service to the public.

III. The Commission Should Adopt Key-up Overlap Standards.

The record before the Commission supports the need for key-up overlap devices to prevent a degradation in the quality of paging service on the shared VHF and UHF paging frequencies. Accordingly, the Paging Licensees concur with Airtouch Paging and PCIA that the Commission should act to ensure that co-channel paging licensees do not cause harmful interference to each other. Comments of PCIA at 17, n. 32; Petition for Rule Making at 13-14. In this connection, the Paging Licensees believe that the most efficient means for preventing key-up overlap (i.e., simultaneous seizure of the channel by two or more unrelated co-channel transmitters within a particular service area) is to tie each carrier's terminal to a single arbitrator, which regulates when, and for how long, a particular system may transmit its paging traffic. See Petition for Rulemaking at 14. In this way, each co-

channel licensee will have an equitable opportunity to transmit its paging batches without causing harmful interference to the other co-channel licensees.⁴

The costs for implementing key-up overlap devices could be quite substantial. The Paging Licensees propose that, where there are multiple co-channel licensees in a particular area, the costs should be shared equally among the incumbent carriers. Where, following the close of this proceeding, the need arises to implement key-up overlap devices because of a new co-channel licensee in the area, the Paging Licensees submit that the new carrier, as the newcomer, should be responsible, financially and otherwise, for acquiring and installing the key-up overlap device. Likewise, where incumbent carriers already have their systems tied together and a new carrier is licensed in the market, the new carrier should be financially responsible for tying its system to the incumbent systems.

IV. The Federal Trade Commission's Conclusion that Auctions are the Cure-all to Mail and Wire Fraud is Misplaced.

The Federal Trade Commission (FTC) has filed comments in the captioned proceeding supporting the Commission's market area licensing proposal for all frequency bands, including the shared VHF and UHF paging frequencies. The FTC's support for the Commission's proposal is premised, not on a conclusion that market area licensing and auctions would be best for the paging industry and its customers as a whole, Comments of the FTC at 2. Rather, the FCC supports market area licensing based solely on its conclusion that market area licensing will deter consumer fraud and speculation because: (1) there would be fewer licenses, and (2) entry into the auctions would be more difficult for speculators than the current site-by-site licensing process. *Id.* at 8.

⁴ Of course, in the event that a carrier has no paging traffic, the arbitrator would permit the next carrier in the sequence to broadcast its traffic, thereby minimizing any dead air time.

While the Paging Licensees agree with the FTC that speculation and application mills and the speculators they attract have harmed the paging industry by making it more difficult for legitimate carriers to obtain license grants, it believes nonetheless that auctioning the shared VHF and UHF paging channels to combat speculation and consumer fraud is unwarranted. The Paging Licensees agree that steps should be taken to preclude fraudulent activities. However, utilizing market area licensing and auctions for this purpose pales in comparison to the harm to the paging industry and its customers that will surely result. The fact is that less drastic steps are available to combat speculation and consumer fraud.⁵ Market area licensing and its attendant auctions would disrupt the highly competitive and innovative paging industry for the sake of preventing a comparably small amount of fraudulent activity. Even if the FTC is correct that telemarketing fraud has cost consumers hundreds of millions of dollars since 1990, see Comments of the FTC at 2, the cost to legitimate paging companies, their personnel, their suppliers, and their subscribers is far greater. Implementation of the Commission's market area licensing proposal would preclude needed system expansion by a majority of incumbent carriers (since only one carrier can win in each market area), such that subscriber demands for service will not be met. This "freeze" on expansion will result in economic hardships for paging carriers and equipment vendors, thereby resulting in significant employee cutbacks. These steps will have a severe impact on the economy as orders for transmitters and related equipment are cancelled, which could total hundreds of millions of dollars; and employees are forced into the unemployment lines. The Paging Licensees respectfully submit that the resulting harm to the paging industry is far more severe than any ills which the FTC believes would be cured.

⁵ These steps include public education through mass-media public service announcements, clear warnings on applications located just above the signature blocks which advise applicants that (a) stations must be constructed and placed in operation prior to the expiration of the construction period, and (b) that trafficking in licenses (i.e., acquisition of licenses for the sole purpose of profitable resale) is prohibited by the Commission's Rules.

Moreover, it is doubtful that auctions will significantly impact fraud. Application mills are capable of "packaging" market area licenses for "investment groups" or other market speculators. Unsophisticated investors appear to have been involved in the Commission's recent IVDS auction where numerous bidders have defaulted on their bids. Accordingly, it is respectfully submitted that adoption of the Commission's market area licensing proposal would be ill advised.

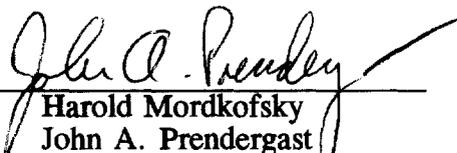
V. Conclusion.

Like most commentors in this proceeding, the Paging Licensees oppose the Commission's market area licensing proposal to subject any of the shared VHF and UHF paging frequencies to competitive bidding. In that these frequency bands are heavily licensed and congested with traffic, and subject to complex non-interference arrangements by multiple licensees (including internal use operators), conversion of these frequencies to exclusive use and market area licensing makes no sense, other than to raise revenues for the Federal treasury -- an activity forbidden under the Communications Act in these circumstances. Likewise, the FTC's concerns regarding consumer fraud would not be adequately addressed by market area licensing, and as a result, the imposition of market area licensing will only serve to paralyze the shared channel paging industry, so that it can no

longer respond effectively to subscriber and market demands. Accordingly, the Commission should not adopt its market area licensing proposal for the shared VHF and UHF channels.

Respectfully submitted,

THE PAGING LICENSEES

By 
Harold Mordkofsky
John A. Prendergast
Richard D. Rubino
Their Attorneys

Blooston, Mordkofsky, Jackson
& Dickens
2120 L Street, N.W.
Washington, D.C. 20037
Tel: (202) 659-0830

Filed: April 2, 1996

Attachment A

Page Hawaii

Lubbock Radio Paging Service, Inc.

WT Services, Inc. d/b/a Panhandle Paging

Mobile Phone of Texas, Inc.

CERTIFICATE OF SERVICE

I, Elizabeth A. Ebere, hereby certify that I am an employee of Blooston, Mordkofsky, Jackson & Dickens, and that on this 2nd day of April, 1996, I caused to be delivered by first-class U.S. mail, postage prepaid, a copy of the foregoing **Reply Comments** to the following:

Chairman Reed Hundt*
Federal Communications Commission
1919 M Street, NW Room 814
Washington, DC 20554

Commissioner James Quello*
Federal Communications Commission
1919 M Street, NW Room 802
Washington, DC 20554

Commissioner Andrew Barrett*
Federal Communications Commission
1919 M Street, NW Room 826
Washington, DC 20554

Commissioner Rachelle Chong*
Federal Communications Commission
1919 M Street, NW - Room 844
Washington, DC 20554

Commissioner Susan Ness*
Federal Communications Commission
1919 M Street, NW - Room 832
Washington, DC 20554

Michelle Farquhar, Chief*
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

David Furth, Acting Chief*
Commercial Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7002
Washington, D.C. 20554

ITS
Room 246
1919 M Street, NW
Washington, DC 20554

* By Hand Delivery

A. Thomas Carroccia, Esq.
Bell, Boyd & Lloyd
1615 L Street, N.W., Suite 1200
Washington, D.C. 20036
For: A+ Communications, Inc.

John L. Crump
d/b/a ACE Communications
11403 Waples Mill Road
P.O. Box 3070
Oakton, VA 22124

George V. Wheeler, Esq.
Koteen & Naftalin
1150 Connecticut Avenue, N.W.
Washington, D.C. 20036
For: American Paging, Inc.

Donald J. Evans, Esq.
McFadden, Evans & Sill
1627 Eye Street, N.W., Suite 810
Washington, D.C. 20006
For: B & B Communications, Inc.

Jill Abeshouse Stern, Esq.
Robert J. Cynkar, Esq.
Janice H. Ziegler, Esq.
Edmund D. Daniels, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, D.C. 20037
For: Coalition for a Competitive
Paging Industry

Veronica M. Ahern, Esq.
Nixon, Hargrave, Devans & Doyle
One Thomas Circle
Washington, D.C. 20005
For: Consolidated Communications
Mobile Services, Inc.

Michael J. Shortley, III, Esq.
Frontier Corporation
180 South Clinton Avenue
Rochester, NY 14646

Joseph Konopny, Esq.
 William L. Fishman, Esq.
 Sullivan & Worcester, LLP
 1025 Connecticut Avenue, N.W.
 Suite 1000
 Washington, D.C. 20036

For: Diamond Page Partnerships
 AmericaOne
 Northwest Pager
 Metro Paging
 West Virginia Pager
 PagerOne

Alan S. Tilles, Esq.
 Meyer, Faller, Weisman & Rosenberg
 440 Jenifer Street, N.W., Suite 380
 Washington, D.C. 20015
 For: Glenayre Technologies, Inc.

Gene P. Belardi, Vice President
 MobileMedia Communications, Inc.
 2101 Wilson Boulevard, Suite 935
 Arlington, VA 22201

Thomas Gutierrez, Esq.
 J. Justin McClure, Esq.
 Lukas, McGowan, Nace & Gutierrez
 1111 19th Street, N.W., Suite 1200
 Washington, D.C. 20036
 For: Mobile Telecommunication
 Technologies Corporation

William J. Franklin, Esq.
 William J. Franklin, Chartered
 1200 G Street, N.W., Suite 800
 Washington, D.C. 20005-3814
 For: North State Communications Inc.
 Rule Radiophone Service, Inc.
 Rule Communications

Robert R. Rule
 Rule Communications, Inc.
 2232 Dell Range Boulevard
 Cheyenne, WY 82009

Lucille M. Mates, Esq.
 Pacific Bell
 140 New Montgomery St., Rm 1526
 San Francisco, CA 94105

James L. Wurtz, Esq.
 Margaret E. Garber, Esq.
 Pacific Telesis
 1275 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 For: Pacific Bell

Judith St. Ledger-Roty, Esq.
 Paul G. Madison, Esq.
 Reed, Smith, Shaw & McClay
 1301 K Street, N.W.
 Suite 1100 - East Tower
 Washington, D.C. 20005
 For: Paging Network, Inc.

Phillip L. Spector, Esq.
 Thomas A. Boasberg, Esq.
 Paul, Weiss, Rifkind, Wharton
 & Garrison
 1615 L Street, N.W.
 Washington, D.C. 20036
 For: Pagemart, Inc.

John D. Pellegrin, Esq.
 John D. Pellegrin, Chartered
 1140 Connecticut Avenue, N.W.
 Suite 606
 Washington, D.C. 20036

Katherine M. Holden, Esq.
 Wiley Rein & Fielding
 1776 K Street, N.W.
 Washington, D.C. 20006
 For: Personal Communications
 Industry Association

Mark J. Golden
 Vice President of Industry Affairs
 Personal Communications Industry Assn
 1019 19th Street, N.W., Suite 1100
 Washington, D.C. 20036

George L. Lyon, Jr., Esq.
 Pamela Gaary, Esq.
 Lukas, McGowan, Nace & Gutierrez
 1111 19th Street, N.W., Suite 1200
 Washington, D.C. 20036
 For: Jon D. Word
 Pioneer Telephone Cooperative

Terry J. Romine, Esq.
 Lukas, McGowan, Nace & Gutierrez
 1111 19th Street, N.W., Suite 1200
 Washington, D.C. 20036
 For: Preferred Networks, Inc.

Ellen S. Mandell, Esq.
 Pepper & Corazzini, LLP
 1776 K Street, N.W., Suite 200
 Washington, D.C. 20006
 For: Pagers Plus
 Priority Communications, Inc.

Jerome K. Blask, Esq.
 Daniel E. Smith, Esq.
 Gurman, Blask & Freedman, Chartered
 1400 Sixteenth Street, N.W.
 Suite 500
 Washington, D.C. 20036
 For: ProNet Inc.

Robert H. Schwaninger, Jr., Esq.
 Brown and Schwaninger
 1835 K Street, N.W., Suite 650
 Washington, D.C. 20006

David L. Hill, Esq.
 Audrey P. Rasmussen, Esq.
 O'Connor & Hannan
 1919 Pennsylvania Avenue, N.W.
 Suite 800
 Washington, D.C. 20006-3483
 For: Paging Partners Corporation
 Source One Wireless, Inc.

Richard S. Becker, Esq.
 James S. Finerfrock, Esq.
 Jeffrey E. Rummel, Esq.
 Richard S. Becker & Assoc., Chartered
 1915 Eye Street, N.W., 8th Floor
 Washington, D.C. 20006
 For: TSR Paging Inc.

Raymond C. Trott, P.E.
 Trott Communications Group, Inc.
 1425 Greenway Drive, Suite 350
 Irving, TX 75038

Steven S. Seltzer, President
 Personal Communications, Inc.
 RCC of Pennsylvania, Inc.
 Modern Communications Corp.
 P.O. Box One
 Altoona, PA 16603-0001

Amelia L. Brown, Esq.
 Henry A. Solomon, Esq.
 Haley, Bader & Potts
 4350 N. Fairfax Drive, Suite 900
 Arlington, VA 22203-1633
 For: Personal Communications, Inc.
 RCC of Pennsylvania, Inc.
 Modern Communications Corp.
 Western Radio Services Co., Inc.

Frederick M. Joyce, Esq.
 Christine McLaughlin, Esq.
 Joyce & Jacobs, LLP
 1019 19th Street, N.W.
 14th Floor, PH-2
 Washington, D.C. 20036
 For: A+ Network
 Brandon Communications
 Merryville Investments
 Metrocall, Inc.
 Morris Communications, Inc.
 Nationwide Paging, Inc.
 Page-USA, Inc.
 Pager One

George L. Lyon, Jr., Esq.
 David Nace, Esq.
 Lukas, McGowan, Nace & Gutierrez
 1111 19th Street, N.W., Suite 1200
 Washington, D.C. 20036
 For: Page Telecommunications, LLC
 Heartland Telecommunications

Alan R. Shark, President
 American Mobile Telecommuni-
 cations Association
 1150 18th Street, N.W., Suite 250
 Washington, D.C. 20036

Rick Hafla
Teton Communications, Inc.
545 South Utah Avenue
Idaho Falls, ID 83402

Pamela L. Gist, Esq.
Lukas, McGowan, Nace & Gutierrez
1111 M Street, N.W., 12th Floor
Washington, D.C. 20036
Counsel for: Liberty Cellular, Inc.

Charles D. Cosson, Esq.
Mary McDermott, Esq.
Linda Kent, Esq.
U.S. Telephone Association
1401 H Street, N.W., Suite 600
Washington, D.C. 20005

William Ciuffo
Comp Comm, Inc.
One Echelon Plaza, Suite 100
227 Laurel Road
Voorhees, NJ 08043-2331

Lloyd D. Huffman
Huffman Communications
2829 West 7th Avenue
P. O. Box 1753
Corsicana, TX 75151-1753

Caressa D. Bennet, Esq.
Michael R. Bennet, Esq.
Bennet & Bennet, PLLC
1831 Ontario Place, N.W., Suite 200
Washington, D.C. 20009
For: Border to Border Communications

Larry Shaefer, President
SMR Systems, Inc.
4212 Mt. Vernon
Houston, TX 77006-5416

Dallas Vanderhoof
General Manager
TeleBEEPER of New Mexico, Inc.
P.O. Box 25161
Albuquerque, NM 87125

Laura H. Phillips, Esq.
Christina H. Burrow, Esq.
Dow, Lohnes & Albertson
1200 New Hampshire Avenue, NW
Suite 800
Washington, D.C. 20036-6802
For: Sunbelt Transmission Corp.
Snider Communications Corp.

Lawrence M. Miller, Esq.
Schwartz, Woods & Miller
1320 Connecticut Avenue, NW
Suite 300
Washington, D.C. 20036
For: Datafon II, Inc.
Zipcall Long Distance, Inc.

James F. Roberts, Esq.
Marsha Y. Reeves, Esq.
Latham & Watkins
1001 Pennsylvania Avenue, NW
Suite 300
Washington, D.C. 20004-2505
For: PageAmerica Group, Inc.

Donald A. Fishman, Esq.
Kevin C. Boyle, Esq.
Latham & Watkins
1001 Pennsylvania Avenue, NW
Suite 300
Washington, D.C. 20004-2505
For: MobileMedia Communications, Inc.

David C. Jatlow, Esq.
Young & Jatlow
2300 N Street, NW, Suite 600
Washington, D.C. 20037
For: AT&T Wireless

Dennis L. Myers, Vice President
Ameritech Cellular Services
2000 West Ameritech Center Drive
Location 3H78
Hoffman Estates, IL 60195-5000

Carl W. Northrop, Esq.
 Paul, Hastings, Janofsky & Walker
 1299 Pennsylvania Avenue, N.W.
 10th Floor
 Washington, D.C. 20004
 For: AACS Communications, Inc.
 AirTouch Paging
 Answer, Inc.
 Arch Communications Group Inc.
 Cal-Autofone
 Centrapage of Vermont
 Centracom, Inc.
 Communications Enterprises
 Desert Mobilfone
 Detroit Newspaper Agency
 Electronic Engineering Company
 Hello Pager Company, Inc.
 Jackson Mobilphone Company
 LaVergne's Telephone Answering
 Service
 Midco Communications
 Donald G. Pollard d/b/a Siskiyou
 Mobilfone
 PowerPage, Inc.
 Radio Electronic Products Corp.
 RETCOM, Inc.
 Westlink Licensee Corporation

Heather Hipsley, Esq.
 Bureau of Consumer Protection
 Federal Trade Commission
 6th and Pennsylvania Avenues, N.W.
 Room 282-B
 Washington, D.C. 20580

Timothy E. Welch, Esq.
 Hill & Welch
 1330 New Hampshire Avenue, N.W.
 Suite 113
 Washington, D.C. 20036
 For: Amery Telephone Company, Inc.
 ATS Mobile Telephone, Inc.
 B & B Beepers
 Baker's Electronics and
 Communications, Inc.
 Baldwin Telecom, Inc.
 Benkelman Telephone Company
 Chequamegon Telephone Co-op
 Communications Sales & Service
 HEI Communications, Inc.
 Mashell Connect, Inc.
 Metamora Telephone Company
 Mobilfone Service, Inc.
 Paging Associates, Inc.
 Pigeon Telephone Company, Inc.
 Porter Communications, Inc.
 Karl A. Rinker d/b/a Rinkers
 Communications
 Supercom, Inc.
 Wauneta Telephone Company
 Wilkinson County Telephone
 Company, Inc.


 Elizabeth A. Ebere