



INTERNATIONAL BUREAU

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

(202)418-0420  
(202)418-2818 (fax)

May 21, 1996

DOCKET FILE

The Honorable James Exon  
United States Senate  
528 Hart Senate Office Building  
Washington, DC 20510

Attention: Denise Armstrong

Dear Senator Exon:

Thank you for your letter on behalf of Paul Korslund, Mayor of Beatrice, Nebraska. Mr. Korslund is concerned about preemption of local zoning regulation of satellite earth stations.

The FCC's revised zoning preemption rule was adopted in part to respond to the fact that some local jurisdictions were enforcing restrictive and unreasonable zoning laws with respect to satellite-delivered services. It was also intended to implement the Telecommunications Act of 1996, which requires the Commission to prohibit restrictions "that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services".

The Commission adopted an approach that balanced the interests of consumers and the concerns of local authorities. It presumptively prohibits zoning regulation of smaller satellite dishes, but allows local authorities to rebut that presumption in appropriate cases. It also provides for waivers of the rule in unusual cases.

Thank you for your interest in this matter. Please let me know if we can provide further information.

Best wishes.

Sincerely yours,

Donald H. Gips  
Bureau Chief

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