



INTERNATIONAL BUREAU

FEDERAL COMMUNICATIONS COMMISSION  
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May 21, 1996

The Honorable Jesse Helms  
United States Senate  
403 Dirksen Office Building  
Washington, DC 20510

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Attention: Cuyler O'Connor

Dear Senator Helms:

Thank you for your letter on behalf of James Simpson of Trammell Crow Residential. Mr. Simpson is concerned that local zoning preemption relating to satellite earth stations will adversely affect the conduct of his business.

The FCC's 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. The Telecommunications Act of 1996 specifically states that the Commission shall publish regulations 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, which would include issues of safety

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