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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

March 21, 1996

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

**Re: Written Ex Parte Communication in
WT Docket No. 96-59**

Dear Mr. Caton:

The attached position paper was sent today to the Commission staff members listed below. Please call me if you have any questions.

Respectfully submitted,

Robert R. Cohen

cc:

Rosalind K. Allen
Rudolfo M. Baca
Mark Bollinger
Karen Brinkman
Jackie Chorney
James R. Coltharp
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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

**THE COMMISSION SHOULD PROVIDE SMALL BUSINESS PREFERENCES
AND RETAIN CELLULAR-PCS CROSS OWNERSHIP
RESTRICTIONS FOR THE D, E, AND F BLOCK AUCTIONS**

**WT DOCKET NO. 96-59
GN DOCKET NO. 90-314**

**THE COMMISSION SHOULD PROCEED EXPEDITIOUSLY WITH THE
FINAL AUCTIONS FOR BROADBAND PCS**

- Concluding the D, E, F Block PCS auctions is critical to wireless competition.
- In the interest of expediting service to the public and introducing new competition into wireless markets, the FCC should minimize the potential for judicially imposed delays, by not promulgating any race or gender based preferences.
- The Commission should auction the D, E, and F Block licenses concurrently unless legal challenges dictate otherwise.

**THE COMMISSION'S AUCTION PLAN FOR THE F BLOCK
SHOULD PROMOTE ENTRY BY SMALL BUSINESSES**

- The FCC should stimulate the formation of viable small business applicants.
- The Commission should set aside the F Block solely for entrepreneurs and small businesses.
- Allow small businesses to utilize the 50.1/49.9 percent equity control group option when forming applicant entities for the auction.
- Provide tiered bidding credits and installment payment plans for entrepreneurs and small businesses.
- Eliminate the transfer restrictions on F Block licensees, allowing licensees to transfer or assign licenses post-auction to any qualified entrepreneurial company or small business.

**THE COMMISSION SHOULD RETAIN ALL CELLULAR-PCS CROSS-
OWNERSHIP OWNERSHIP RESTRICTIONS AND ATTRIBUTION
RULES**

- Proposed increases in the cellular spectrum cap would allow cellular carriers to monopolize the market.
- Raising the cellular spectrum cap at this time would seriously disadvantage and be fundamentally inequitable to A, B, and C Block entities, who made their business decisions based on the spectrum cap.
- The current 20 percent attribution rule is quite generous to cellular carriers and should not be relaxed.
- Retaining the current cellular attribution rule is pro-competitive and makes good public policy.