



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

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In the Matter of)
)
Preemption of Local Zoning Regulation)
of Satellite Earth Stations)
)
Implementation of Section 307 of the)
Telecommunications Act of 1996)
)
Restrictions on Over-the-Air Reception)
Devises: Television Broadcast Service)
and Multichannel Multipoint)
Distribution Service)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

IB Docket No. 95-597

CS Docket No. 96-83

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MOTION FOR LEAVE TO EXCEED PAGE LIMIT

The Wireless Cable Association International, Inc., CAI Wireless Systems, Inc., People's Choice TV Corp., National Wireless Holdings, Inc. and CS Wireless Systems, Inc. (collectively, the "Joint Petitioners"), by their attorneys and pursuant to Section 1.429(d) of the Commission's Rules, hereby request leave to submit a single, consolidated petition for reconsideration of the *Report and Order, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking* of not more than forty pages.

After extensive consultation, the Joint Petitioners, a group that includes the trade association of the wireless cable industry, as well as the operators of numerous wireless cable systems, have agreed to submit to the Commission a single consolidated petition for reconsideration. Several other companies that are operating or developing wireless cable systems have indicated a desire to join with the Joint Petitioners, subject to review of a draft pleading. It is the hope of the Joint Petitioners that by reaching out to the entire wireless cable industry, theirs

will be the only petition for reconsideration of the *Report and Order* from the wireless cable industry.

The *Report and Order* represents the most important implementation decision for the wireless cable industry stemming from the Telecommunications Act of 1996. For local restrictions on wireless cable antennas have hampered the industry's ability to compete in the multichannel video marketplace. Although the Joint Petitioners largely have the same concerns regarding the *Report and Order*, several of the Joint Petitioners have raised unique concerns. Based on the extensive drafting done to date, it is not possible for the Joint Petitioners to properly address all of the issues they desire to raise within the twenty-five page limit that generally applies to petitions for reconsideration pursuant to Section 1.429(d). Thus, if the Joint Petitioners are to file a single, consolidated petition for reconsideration, it will be necessary for the pleading to somewhat exceed the twenty-five page maximum.

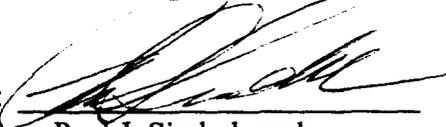
The public interest will clearly be served by grant of the requested leave. The submission by the Joint Petitioners and those that join with them of a single consolidated petition of not more than forty pages will result in a net decrease in the total number of pages submitted to the Commission. Unless the single joint filing can address all of the issues of concern to each Joint Petitioner, it is likely that many of the Joint Petitioners will be compelled to submit an individual petition. Each of those petitions will in all likelihood approach the 25 page maximum, although much of the argument will be repetitive. Moreover, a consolidated petition that presents the Commission with the unified views of most, if not all, of the wireless cable industry will ultimately simplify the Commission's task of fine-tuning the rules adopted in the *Report and Order* by minimizing dispute.

WHEREFORE, the premises considered and good cause having been shown, the Joint Petitioners hereby request that the Commission grant them leave to file a single consolidated petition for reconsideration of the *Report and Order* of not more than 40 pages in length.

Respectfully submitted,

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