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Office of Secretary
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December 2, 1996

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

Via Messenger
DOCKET FILE COPY ORIGINAL

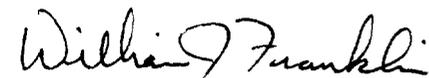
Re: ITV, Inc. and IVDS Affiliates, L.C.
RM-8951 (Extension of IVDS License Terms)
Comments in Support of Petition for Rulemaking

Dear Mr. Caton:

Transmitted herewith on behalf of ITV, Inc. and IVDS Affiliates, L.C. is an original and four (4) copies of their Comments filed in support of the above-captioned Petition for Rulemaking.

Please contact this law firm if you have any questions with respect to this matter.

Respectfully submitted,



William J. Franklin
Attorney for ITV, Inc. and IVDS
Affiliates, L.C.

Encls.

cc: ITV, Inc. and IVDS Affiliates, L.C.
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

In the Matter of)
)
Amendment of Part 95 to) RM-8951
Extend the Terms of Interactive)
Video and Data Service Licenses)
From Five to Ten Years)

To: The Commission

**COMMENTS OF ITV, INC. AND
IVDS AFFILIATES, LLC**

ITV, Inc. ("ITV") and IVDS Affiliates, LLC ("IALC"), by their attorney and pursuant to Section 1.405(a) of the Commission's Rules, hereby comments on Petition for Rulemaking filed by Euphemia Bans, et al. ("Petition") to extend the terms of all Interactive Video and Data Services ("IVDS") licenses from five years to ten. The Petition also proposes to extend the installment payment period for IVDS licenses to correspond to the new term of their licenses. As set forth herein, ITV and IALC support the proposal.

DESCRIPTION OF ITV AND IALC

ITV and IALC are commonly owned. ITV is an IVDS licensee for the San Francisco MSA. Accordingly, ITV has experience in assessing the technical and economic realities of the IVDS business. As a result of that assessment, ITV formed IALC to develop a product line of IVDS equipment for ITV's use and for the use of other IVDS licensees. That equipment, which is now type-accepted and has been operational for an in-market field

trial, uses the IVDS spectrum to distribute business and commercial data to subscribers.

Accordingly, ITV and IALC possess a demonstrated level of expertise in the design and operation of IVDS systems. Thus, their comments should receive enhanced consideration from the Commission.

**THE PETITION ACCURATELY DESCRIBES THE IVDS
LICENSING AND BUSINESS ENVIRONMENT; THE REQUESTED
RULE MODIFICATIONS WOULD SERVE THE PUBLIC INTEREST.**

Based on their review of the Petition, ITV and IALC have concluded that the Petition correctly describes the current licensing and business environment of the IVDS industry. Further, the Petition (at 4-5) correctly notes that the original five (5) year IVDS license term, which was adopted to deter unjust enrichment by lottery winners, serves no useful purpose in the context of the previous and upcoming IVDS auctions.^{1/} In fact, as the Petition (at 5-9) correctly describes, the current five-year term creates competitive inequities and is contrary to the public interest.

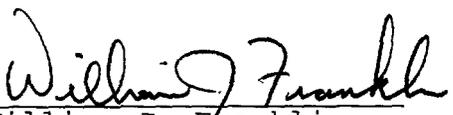
Accordingly, extending both the term of IVDS licenses and their corresponding installment payment schedules to ten (10)

^{1/} See, e.g., Competitive Bidding (IVDS), 11 FCC Rcd _____ (FCC 96-447, November 21, 1996) (PP Dkt. No. 93-253) (Tenth Report and Order).

years would serve the public interest. The Commission should take immediate, favorable action on the Petition.

Respectfully Submitted,

ITV, INC.
IVDS AFFILIATES, LLC

By: 
William J. Franklin
Their Attorney

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments of
ITV, Inc. and IVDS Affiliates, LLC was sent by U.S. mail, first-
class postage prepaid, this 2d day of December, 1996 to:

J. Jeffrey Craven
Janet Fitzpatrick
Patton Boggs, L.L.P.
2550 M Street, N.W.
Suite 800
Washington, DC 20037

/s/ William J. Franklin
William J. Franklin