

MASS MAILING

The attached document is part of a mass mailing received in Docket Nos. 96-83 and 95-59. The following list specifies the names of the parties filing formal comment. The number of identical documents as specified in the File Number/City, St. field have been received by the Commission on this same date. You may contact an information technician in the Public Reference Room, Room 239 or 230 to view the documents.

Docket Number	Receipt/Adopted/Issued	Name of Applicant
96-83	10/3/96	CEDAR CREEK APARTMENTS
96-83	10/3/96	CEDAR CREST
96-83	10/3/96	CONTINENTAL REALTY CORPOR
96-83	10/3/96	EDMUND J. MAZZEI & ASSOCI
96-83	10/3/96	HUTER'S GLEN
96-83	10/3/96	IRVINE APARTMENT
96-83	10/3/96	LEWIS PARK
96-83	10/3/96	NATIONWIDE APARTMENT MANA
96-83	10/3/96	NORTH PARK
96-83	10/3/96	OXFORD HILL
96-83	10/3/96	PREMISYS REAL ESTATE SERV

TOTAL : 11

Premisys
Real Estate Services

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RECEIVED

September 30, 1996

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

DOCKET FILE COPY ORIGINAL

RE: Preemption of Local Zoning Regulation of Satellite Earth Stations, IB Docket No. 95-59 and Implementation of Section 207 of the Telecommunications Act of 1996, CS Docket No. 96-83

Dear Mr. Caton:

We are writing in response to the FCC's Report and Order and Further Notice of Proposed Rulemaking released August 6, 1996, which asks for comments with regard to placement of an antenna on common areas of leased premises, property not within the exclusive control of a person with an ownership interest, where a landlord is legally responsible for maintenance and repair and can be liable for failure to perform its duties properly. We enclose six (6) copies of this letter, in addition to this original.

Premisys Real Estate Services, Inc. is in the commercial real estate business. In Dallas we manage over 4 million square feet of office space in four different buildings. These projects provide office space to over 10,000 people here in Dallas. Nationwide we manage over 60 million square feet of office space.

We are concerned that imposition of a rule granting persons a presumptive right to receive over-the-air signals -- persons who do not have a ownership interest in the property they occupy through lease agreement with a property owner--will adversely affect the conduct of our business without justification and needlessly raise additional legal issues. We question whether the Commission has the authority to require us to allow physical invasion of our property. We must retain the authority to control the use of our property, for several reasons.

The FCC should not extend regulations implementing Section 207 of the Telecommunications Act of 1996 to situations in which the viewer does not have exclusive use or control and a direct ownership interest in the property where the antenna is to be installed, used and maintained. There are many factors such as safety, security, aesthetics, liability, and insurance costs that a private property owner must consider and manage a day-to-day basis. All of these factors are vital to the operation of an office building and cannot be discounted or properly compensated for on a uniform basis.

The weight or wind resistance of a satellite and the quality of installation may create maintenance problems and-more importantly - a hazard to the safety of occupants, building employees, and passers-by. Damage to the property caused by water seepage into the building interior, corrosion of metal mounts, or weakening of concrete could lead to safety hazards and very costly maintenance and repair. Additionally, slipshod or faulty contractors might create safety problems during installation.

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List A B C D E

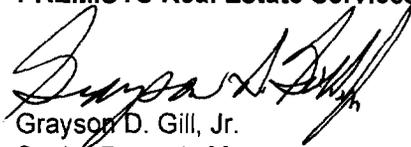
Mr. William F. Caton
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The technical limitations of satellite technology create problems because all of our tenants may not be able to receive certain services. It is our understanding that satellites are only positioned in certain areas, thus limiting access. But a building-type satellite dish or antenna mounted on the roof of our property is not necessarily the answer because of the great variation in condition and quality of roofs, and it may be totally impractical and uneconomical to provide service to a small universe of potential subscribers.

In conclusion, we urge the FCC to avoid interfering in our relationships with our tenants. All of the potential problems we cite will adversely affect the safety and security of our property as well as our bottom line and our property rights. Thank you for your attention to our concerns.

Sincerely,

PREMISYS Real Estate Services, Inc.



Grayson D. Gill, Jr.
Senior Property Manager

GDG/sc