

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
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96-83	10/1/96	AMBER MANOR APARTMENTS
96-83	10/1/96	AMHERST COURT APARMENT
96-83	10/1/96	ANDOVER AT HOWTHORNE
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96-83	10/1/96	APPLEWALK CONDOMINIUM
96-83	10/1/96	ARLINGTON HOME OWNERS OWN
96-83	10/1/96	ASBURN VILLAGE
96-83	10/1/96	ASSOCIATED LAND GROUP
96-83	10/1/96	ASSOCIATED LAND GROUP
96-83	10/1/96	ASSOCIATED LAND GROUP
96-83	10/1/96	ASSOCIATED LAND GROUP
96-83	10/1/96	ASSOCIATED LAND GROUP
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96-83	10/1/96	BLYTHE OCEAN VIEW APTS.
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96-83	10/1/96	CARRIAGE STATION AFARTMEN
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96-83	10/1/96	CEDAR POINT APARTMENTS
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96-83	10/1/96	COOK'S CROSSING APARTMENT
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96-83	10/1/96	DARTMOUTH COURT APARTMENT
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96-83	10/1/96	DORCHESTER, THE
96-83	10/1/96	DRAPER AND KRAMER INC.
96-83	10/1/96	DRAPER AND KRAMER INC.
96-83	10/1/96	DRAPER AND KRAMER INC.
96-83	10/1/96	EAGLE REALTY GROUP, INC.
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96-83	10/1/96	FRENCH COLONY
96-83	10/1/96	FRENCH QUARTER CONDOMINIUM
96-83	10/1/96	GREAT LAKES REIT INC.
96-83	10/1/96	GREAT LAKES REIT INC.
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96-83	10/1/96	GREENBRIAR CONDOMINIUMS
96-83	10/1/96	GREENTREE APARTMENTS
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96-83	10/1/96	HAWTHORNE GROVE
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96-83	10/1/96	HEARTHWOOD
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96-83	10/1/96	KENNEDY HEIGHTS APARTMENT
96-83	10/1/96	KINGSTOWN APARTMENTS

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96-83	10/1/96	LAKE APARTMENTS
96-83	10/1/96	LAKE JUNE VILLAGE APARTME
96-83	10/1/96	LAKE MIST APARTMENTS
96-83	10/1/96	LESLYE KROEGER
96-83	10/1/96	LINCOLN PRIPERTY COMPANY
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96-83	10/1/96	LOWE ENTERPRISES INC.
96-83	10/1/96	MAGNOLIA PLACE
96-83	10/1/96	MANHATTAN WEST BOARD OF D
96-83	10/1/96	MERCY SIENA VILLAGE
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96-83	10/1/96	MINK REALTY INVESTORS
96-83	10/1/96	MONTPELIER VILLAGE CONDOM
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96-83	10/1/96	THOMAS FERGUSON
96-83	10/1/96	THOMAS FERGUSON
96-83	10/1/96	THOMAS P. KROEGER
96-83	10/1/96	TIMBER GLEN APARTMENTS

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96-83	10/1/96	TIMBER RIDGE APARTMENTS
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96-83	10/1/96	TIMBERC REEK APARTMENT
96-83	10/1/96	TOLLEY-HUGHES, INC.
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96-83	10/1/96	TRIZEC PROPERTIES, INC.
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96-83	10/1/96	VALLEY CREEK APARTMENTS
96-83	10/1/96	VILLAGE WEST APARTMENTS
96-83	10/1/96	VINTAGE REALTY COMPANY
96-83	10/1/96	WASHINGTON COMMERCIAL PRO
96-83	10/1/96	WASHINGTON HEIGHTS APARTM
96-83	10/1/96	WIND RIDGE APARTMENTS
96-83	10/1/96	WINTHROP MANAGEMENT
96-83	10/1/96	WINTHROP MANAGEMENT
96-83	10/1/96	WOODBIDGE CROSSING APART
96-83	10/1/96	WOODBIDGE CROSSING APART
96-83	10/1/96	WOODBIDGE PINES
96-83	10/1/96	WOODCREST CREST APARTMENT
96-83	10/1/96	WOODLAND VILLAGE
96-83	10/1/96	WOODRIDGE GLEN APARTMENTS
96-83	10/1/96	WOODRIDGE GLEN APARTMENTS
96-83	10/1/96	WOODRIDGE KNOLL APARTMEN

TOTAL : 206

ANDOVER at HAWTHORNE
6640 Powers Ferry Road, Suite 250
Atlanta, GA 30339

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FCC

September 23, 1996

DOCKET FILE COPY ORIGINAL

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

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 write in response to the FCC's Report and Order and Further Notice of Proposed Rulemaking released on August 6, 1996, which asks for comments "with regard to placement of antennas on common areas or rental properties, property not within the exclusive control of a person with an ownership interest, where a community association or 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.

Andover at Hawthorne is a community within the Hawthorne 1 Homeowners Association, which is a private non-profit corporation designated by the State of Georgia. We are a homeowners association managing 250 residential units located in Georgia.

Granting persons who do not have an ownership interest in the property they rent, a presumptive right to install a satellite dish or to demand a community-based signal 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 the physical invasion of our property. We must retain the authority to control the use of our property, for many 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 on a day-to-day basis. All of these factors are vital to the operation of an apartment community and cannot be discounted or property compensated for on a uniform basis.

DLG

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September 23, 1996

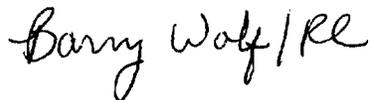
The weight or wind resistance of a satellite and the quality of installation may create maintenance problems and -- more importantly -- a hazard to the safety of residents, building employees, and passers-by. Damage to the property caused by water seepage into the building interior, corrosion of metal mounts, or weakening in concrete could lead to safety hazards and very costly maintenance and repair. Slipshod or faulty contractors could create all kinds of safety problems. Even good installers cannot guarantee against weather damage.

The technical limitations of satellite technology create problems because all of our residents may not be able to receive certain services. It is our understanding that satellites are only positioned in certain areas, thus limiting access. A community-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 residents. 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,

ANDOVER AT HAWTHORNE

A handwritten signature in cursive script that reads "Barry Wolf/RL".

Barry Wolf, CPM
Director of Community Association Management

BW/rc

Enclosures:
6 copies of this letter