

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
95-59	9/16/96	650 FIFTH AVENUE COMPANY
95-59	9/16/96	ACADIAN OAKS APARTMENTS
95-59	9/16/96	AMLI REALTY CO.
95-59	9/16/96	ARBOR GATES APARTMENTS
95-59	9/16/96	BAIRD & WARNER COMMUNICAT
95-59	9/16/96	BAIRD & WARNER COMMUNICAT
95-59	9/16/96	BARCLAY SQUARE APARTMENTS
95-59	9/16/96	BARLOW CONCORD APARTMENT
95-59	9/16/96	BARLOW CONCORD APARTMENT
95-59	9/16/96	BARLOW CONCORD APARTMENT
95-59	9/16/96	BEAUTERRE APARTMENTS
95-59	9/16/96	BELGRARDE ENTERPRISES
95-59	9/16/96	BH MANAGEMENT SERVICES
95-59	9/16/96	BILTMORE, THE
95-59	9/16/96	BLUFFS APARTMENTS
95-59	9/16/96	BOULDER, THE
95-59	9/16/96	BRIARWOOD APARTMENTS
95-59	9/16/96	BRIGHTON PARK APARTMENTS
95-59	9/16/96	BROOK RUN
95-59	9/16/96	BROOKDALE VILLAGE LUXURY
95-59	9/16/96	BUILDERS, INC.
95-59	9/16/96	BUILDERS, INC.
95-59	9/16/96	CANNONGATE APARTMENTS
95-59	9/16/96	CANYON CREEK
95-59	9/16/96	CANYON FALLS
95-59	9/16/96	CARMEL ON PROVIDENCE APAR
95-59	9/16/96	CARYLE APARTMENTS
95-59	9/16/96	CASA MADRID APARTMENTS
95-59	9/16/96	CHARLES & FRANCES L. TUCK
95-59	9/16/96	CHARLES E. SMITH REALTY
95-59	9/16/96	CHEASPEAKE REALTY MANAGEM
95-59	9/16/96	CHESTNUT HILLS APARTMENTS
95-59	9/16/96	COLONIAL MANOR APARTMENT
95-59	9/16/96	COLONY APARTMENTS, THE
95-59	9/16/96	COMPASS MANAGEMENT
95-59	9/16/96	CONFEDERATE RIDGE APARTME
95-59	9/16/96	CROSSROADS APARTMENTS
95-59	9/16/96	CYPRESS POINTE APARTMENTS
95-59	9/16/96	DON MIGUEL APARTMENTS
95-59	9/16/96	DUTCH VILLIAGE APARTMENTS
95-59	9/16/96	EAST GATE
95-59	9/16/96	EASTWYCK APARTMENTS
95-59	9/16/96	EDGEWATER BEND
95-59	9/16/96	ELSERENO APARTMENTS
95-59	9/16/96	EQUITY OFFICE HOLDINGS LL
95-59	9/16/96	EQUITY OFFICE HOLDINGS LL
95-59	9/16/96	EXECUTIVE WEST APARTMENTS
95-59	9/16/96	FATH MANAGEMENT CO.
95-59	9/16/96	FOREST HILL APARTMENTS
95-59	9/16/96	FOUR SEASONS APARTMENTS
95-59	9/16/96	GOLDEN GATEWAY CENTER
95-59	9/16/96	GRANDADA CENTRE

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95-59	9/16/96	HEARST CORPORATION, THE
95-59	9/16/96	HESSOR, TINA
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95-59	9/16/96	INTERNATIONAL HOUSE APART
95-59	9/16/96	JEFFERSON OAKS APARTMENTS
95-59	9/16/96	JEFFERSON WEST APARTMENTS
95-59	9/16/96	JOSE VIGIL
95-59	9/16/96	KEYSTONE REALTY INCORPARA
95-59	9/16/96	KOLL
95-59	9/16/96	KONTER MANAGEMENT COMPANY
95-59	9/16/96	LAKE CHARLES REALTY INC
95-59	9/16/96	LENOX GATES
95-59	9/16/96	LIN COLN PROPERTY COMPANY
95-59	9/16/96	LINCOLN HEIGHTS
95-59	9/16/96	LINCOLN PROPERTY COMPANY
95-59	9/16/96	LOS TOMAS APARTMENTS
95-59	9/16/96	LOW E ENTERPRISES COLORAD
95-59	9/16/96	MANCHA APARTMENTS
95-59	9/16/96	MEADOWNRUN APARTMENTS
95-59	9/16/96	MERRILL CREEK
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95-59	9/16/96	MILL BUILDING
95-59	9/16/96	MITCHELL COMPANY, THE
95-59	9/16/96	NETHERVILLAGE VILLAGE
95-59	9/16/96	NOONEY KROMBACH
95-59	9/16/96	NORTH AMERICA BUILDING
95-59	9/16/96	NORTH PARK APARTMENTS
95-59	9/16/96	NORTH POINT APARTMENTS
95-59	9/16/96	OAKLEIGH APARTMENTS
95-59	9/16/96	OPPENHEIMER DEVELOPMENT
95-59	9/16/96	ORANGEWOOD
95-59	9/16/96	PALLADIUM (USA) INTERNATI
95-59	9/16/96	PALLADIUM REAL ESATE, INC
95-59	9/16/96	PALLADIUM REAL ESTATE INC
95-59	9/16/96	PALLADIUM REAL ESTATE INC
95-59	9/16/96	PAT GARRETT REALTORS
95-59	9/16/96	PLANTATION MANOR APARTMEN
95-59	9/16/96	PORTERWOOD APARTMENTS
95-59	9/16/96	PREMISYS REAL ESTATE SERV
95-59	9/16/96	PRESTON PARK
95-59	9/16/96	QUAIL LAKES APARTMENTS
95-59	9/16/96	RICE COPPOLA & HAMRICK P.
95-59	9/16/96	RUPP REALTY, INC.
95-59	9/16/96	SAN PEDRO VILLAGE APARTME
95-59	9/16/96	SANDELWOOD APARTMENTS
95-59	9/16/96	SENIOR LIFESTYLE MANAGEME
95-59	9/16/96	SEVILLE APARTMENTS, THE
95-59	9/16/96	SIEGEN PROPERTY OAKS
95-59	9/16/96	SOUTHWEST LOUISIANA APART
95-59	9/16/96	STONEHAVEN EAST APARTMENT
95-59	9/16/96	TANGEWOOD APARTMENTS
95-59	9/16/96	TERRA MANAGEMENT, INC.
95-59	9/16/96	THORN MANOR APARTMENTS
95-59	9/16/96	TOWN CREEK APARTMENTS
95-59	9/16/96	TRAILS OR ASHFORD
95-59	9/16/96	VALLE GRANDE APARTMENTS
95-59	9/16/96	VIEWPOINT
95-59	9/16/96	VOIT COMPANIES, THE
95-59	9/16/96	WALLICK COMPANIES
95-59	9/16/96	WALLICK COMPANIES, THE

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95-59	9/16/96	WALLICK PROPERTIES, INC
95-59	9/16/96	WELLSFORD RESIDENTIAL MAN
95-59	9/16/96	WENDOVER PLACE APARTMENTS
95-59	9/16/96	WEST WAY VILLAGE
95-59	9/16/96	WESTGATE APARTMENTS
95-59	9/16/96	WILLOW TRACE APARTMENT
95-59	9/16/96	WINDSCAPE APARTMENTS
95-59	9/16/96	WOODBIDGE
95-59	9/16/96	YARMOUTH GROUP, THE

TOTAL : 121



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September 13, 1996

Mr. William F. Caton
Acting Secretary
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Subject: 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:

I am writing 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 an antenna on the common grounds or leased premises of property not within the exclusive control of a person with an ownership interest, where a landlord is legally responsible for the maintenance and repair and can be liable for failing to properly perform its duties. I have enclosed six (6) copies of this letter with the original.

North America Building Management Corporation is in the commercial real estate business. As the exclusive managers for Shuwa Investments Corporation, we are responsible for the management and operations of more than ten million square feet across this country. Our tenancy is diverse; it ranges from the headquarters of some of this country's largest corporations, to a Section 8 HUD apartment complex.

Our experience has shown us that decisions concerning the integrity and viability of buildings must be made at the sole and absolute discretion of the building's owner. We are concerned with the imposition of this rule granting a presumptive right to receive over-the-air signals to persons who may have no ownership interest in the property they occupy by lease agreement with the property owner. Such a rule would adversely affect the conduct of our business without justification, and needlessly expose us to legal issues.

We question whether the FCC has the authority to require property owners to surrender to the physical invasion of our buildings. Access and control to our properties must remain under the

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absolute control or owners, for several reasons.

The FCC should not extend regulations implementing Section 207 of the Telecommunications Act of 1996 to situations in which the receiver does not have exclusive 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 private property owners must consider on a daily basis. All of these factors are essential to the operation of a commercial office building, and cannot be discounted or properly compensated for on a uniform basis.

It should not be the FCC's domain to interfere with the relationships between building owners and their tenants; this is the responsibility and should be the domain of the building owner and their agents. The concerns that I have raised will affect the safety and security of our properties, and could potentially affect our bottom line.

Please do not abridge our property rights. Please do not impose this rule upon commercial property owners. Thank you for hearing our concerns.

Very truly yours,
NORTH AMERICA BUILDING MANAGEMENT CORPORATION


Kevin C. Saavedra
Assistant Property Manager