

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	9/24/96	ABRAMS PROPERTIES
95-59	9/24/96	ACADIANA APARTMENT ASSOCI
95-59	9/24/96	ASHBURY RUNS
95-59	9/24/96	AUTUMMN WOODS APARTMENTS
95-59	9/24/96	AUTUMMN WOODS APARTMENTS
95-59	9/24/96	BAVARIAN VILLAGE APARTMEN
95-59	9/24/96	BELL VIEW
95-59	9/24/96	BERSHIRE PROPERTY MANAGEM
95-59	9/24/96	BERSHIRE PROPERTY MANAGEM
95-59	9/24/96	BERSHIRE PROPERTY MANAGEM
95-59	9/24/96	BOCA EAST
95-59	9/24/96	BRADFORD J. HOUSER
95-59	9/24/96	CALIFORNIA SANSOME CO.
95-59	9/24/96	CASE MANAGEMENT
95-59	9/24/96	CB COMMERCIAL REAL ESTAE
95-59	9/24/96	CENTRAL PARK TOWERS APART
95-59	9/24/96	CHRIS EDEN
95-59	9/24/96	CLEMENT KERN GARDENS
95-59	9/24/96	COMMERCIAL INVESTMENT PRO
95-59	9/24/96	CROSSING APARTMENT
95-59	9/24/96	DORIS HOUSER
95-59	9/24/96	DUNWOODY CLUB APARTMENTS
95-59	9/24/96	EAST CHASE
95-59	9/24/96	EASTWOOD
95-59	9/24/96	EDWARD ROSE OF INDIANA
95-59	9/24/96	EDWARD ROSE OF INDIANA
95-59	9/24/96	EDWARD ROSE OF INDIANA
95-59	9/24/96	EDWARD ROSE OF INDIANA
95-59	9/24/96	EDWARD ROSE OF INDIANA
95-59	9/24/96	EDWARD ROSE OF INDIANA
95-59	9/24/96	ENSOR FOREST
95-59	9/24/96	FOREST HILL GARDENS
95-59	9/24/96	FULTS REALTY CORPORATION
95-59	9/24/96	GAIN MILLION INVESTMENTS
95-59	9/24/96	HARRY L. BRUNSDEN
95-59	9/24/96	HILL VIEW VILLAGE
95-59	9/24/96	HOUSING DEVELOPERS LLC
95-59	9/24/96	JAMES AND GENICE PROCHASK
95-59	9/24/96	LA FONTENAY APARTMENTS
95-59	9/24/96	LAKES LIMITED PARTNERSHIP
95-59	9/24/96	LAKESDALE APARTMENT
95-59	9/24/96	LIBERTY PINES
95-59	9/24/96	MANHATTAN GARDEN'S LIMITED
95-59	9/24/96	MID AMERICA CENTERSS CORP
95-59	9/24/96	MILLHOPPER VILLAGE
95-59	9/24/96	MILLS, THE
95-59	9/24/96	NOB HILL VILLA
95-59	9/24/96	OCCIENTAL DEVELOPMENT
95-59	9/24/96	OHIO REAL ESTATE INVESTOR
95-59	9/24/96	ONE LYTLE PALE
95-59	9/24/96	OXFORD GARDENS, THE
95-59	9/24/96	PEMBROKE VILLAGE RENTAL A

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95-59	9/24/96	POINTE APARTMENTS
95-59	9/24/96	POLO RUN APARTMENTS
95-59	9/24/96	RHODE ISLAND MALL
95-59	9/24/96	SANDALWOOD, MANAGEMENT,
95-59	9/24/96	SANDLEWOOD MANAGEMENT CO
95-59	9/24/96	SPRING CREST APARTMENTS
95-59	9/24/96	SUNDANCE AT THE CROSSING
95-59	9/24/96	TIMBERS APARTMENT, THE
95-59	9/24/96	TIMBERS APARTMENTS
95-59	9/24/96	TRAILRIDGE APRTMENTS
95-59	9/24/96	TROPHY CLUB AT BELL GRADE
95-59	9/24/96	VILLAGE EAST TOWERS APRTM
95-59	9/24/96	WATERFRONT APARTMENTS
95-59	9/24/96	WIMNMAR COMPANY INC

TOTAL : 66

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

RECEIVED
SEP 24 1996
FCC MAIL ROOM

9/19/96

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 M. 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,' Six letter copies enclosed!

We are in the residential real estate business as a small family investment; we are not a big operation. We own & manage property in the Iowa City, Coralville, and Johnson County Iowa area.

Our property consists of: one duplex unit and one condo unit

We serve a total of 3 tenant families.

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 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 daily basis. All of these factors are vital to the operation of an apartment community 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 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 of concrete could lead to safety hazards and very costly maintenance and repair. Slipshod 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. A community type satellite dish or antenna on our roof is not the answer because of the great variation in condition, quality of roofs. It is impractical to provide service to a small universe of potential subscribers.

In conclusion, for all the reasons cited above, we urge the FCC to avoid interfering in our relationships with our residents and create the potential for safety hazards, security problems, and economic constraints. Thank you for your attention to this matter.

Sincerely,

Chris Eden
PO Box 333, Solon, Iowa 52333