



EX PARTE OR LATE FILED

EX PARTE NOTICE

February 21, 1997

William Caton
Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, D.C. 20554

RECEIVED

FEB 21 1997

Federal Communications Commission
Office of Secretary

Dear Mr. Caton:

**RE: CC Docket No. 92-297
Local Multipoint Distribution Service**

On February 21, USTA and several members met with Rudy Baca, Senior Legal Advisor for Commissioner Quello, and David Siddall, Legal Advisor to Commissioner Ness. The USTA delegation consisted of Don Brittingham (Bell Atlantic), Pat Koch (Bell Atlantic), Gina Harrison (Pac Tel) and Keith Townsend (USTA). The purpose of the meeting was to discuss issues about LMDS in the attachments to this notice which are consistent with comments filed by USTA in this proceeding.

An original and one copy of this ex parte notice are being filed. Please include a copy of this ex parte notice and the attachments in the record of this proceeding.

Respectfully submitted,

A handwritten signature in cursive script that reads "Keith Townsend".

Keith Townsend
Director
Regulatory Affairs & Counsel

cc: Rudy Baca
David Siddall
Don Brittingham
Pat Koch
Gina Harrison

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**“Rules And Policies For The Local Multipoint Distribution Service (LMDS)”
CC Docket 92-297**

**Ex Parte of the United States Telephone Association,
Bell Atlantic and Pacific Telesis**

(2/21/97)

THE BIG MYTH: LMDS is uniquely positioned to compete with LECs & cable companies, and incumbents should therefore be prohibited from deploying LMDS.

- In fact, there are a number of competitors who already compete or plan to compete with these incumbents, including through the use of wireless technologies.
- For example, WinStar is using 38 GHz microwave technology to provide a full range of competitive local, long distance, and Internet services to businesses and plans to ultimately provide such services to residential customers.

THE MISSED OPPORTUNITY: Prohibiting qualified, well established entities from bidding in the auction may leave LMDS withering on the vine.

- Allowing all qualified entities to bid will ensure that networks and services are deployed rapidly, and that the promise of LMDS is realized.
- A restriction on LEC eligibility may undermine the important objective of promoting competition to incumbent cable companies.
- LEC deployment of LMDS may be the only means for bringing LMDS to small or rural markets.

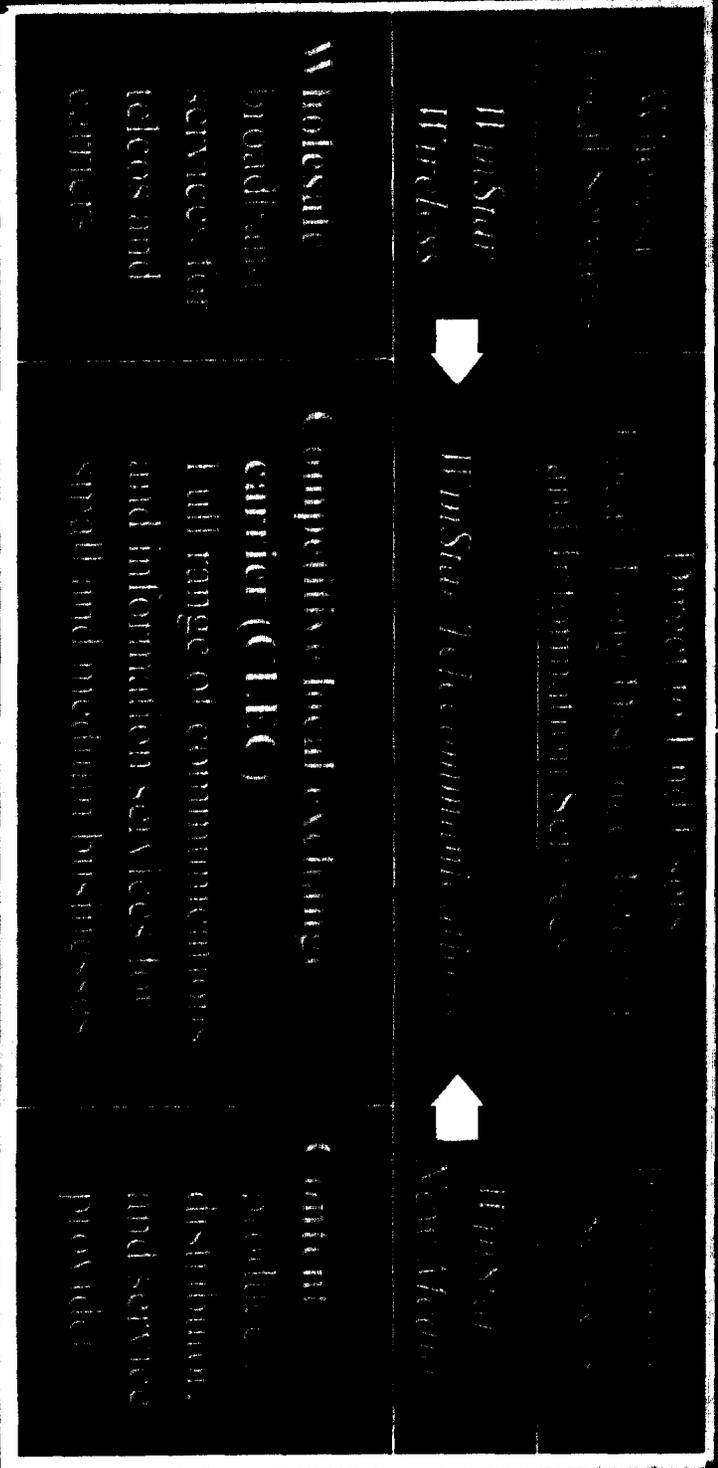
THE RIGHT POLICY: The Commission should adopt an “open eligibility” policy for all spectrum allocations.

- An open eligibility policy is consistent with recent FCC decisions and the direction in which the Commission is moving to reform its spectrum management policies.
- A restriction on LEC eligibility for LMDS is fundamentally at odds with the 1996 Telecommunications Act.

WINSTAR 

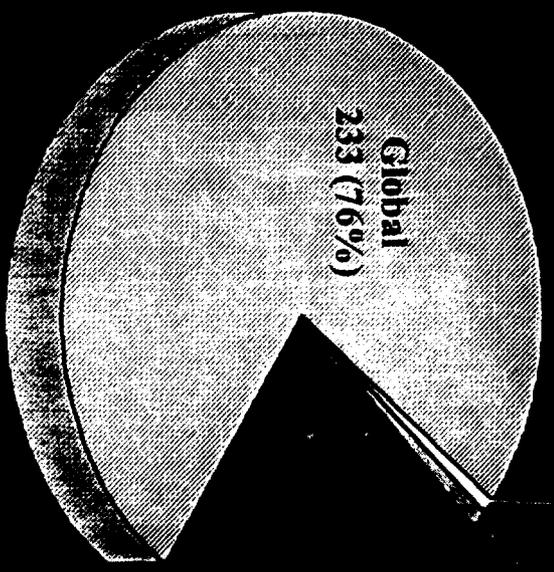
COMMUNICATIONS INC.

WHY IS WINSTAR?



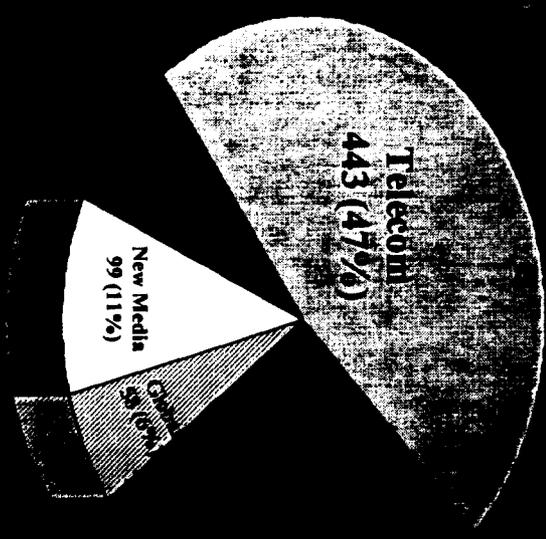
WINSTAR COMMUNICATIONS, INC. HEADQUARTERS DIVISION

12/31/95



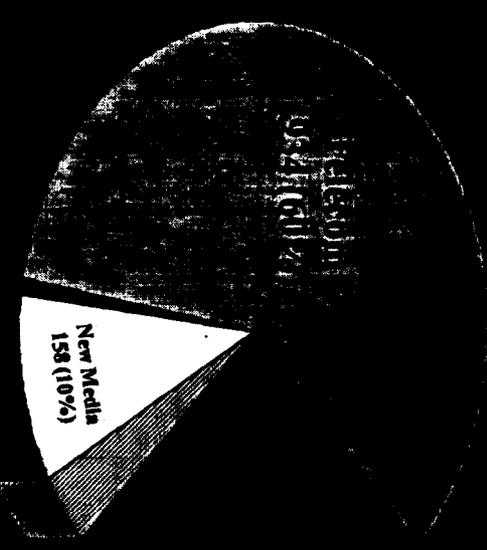
Total: 307

12/31/96



Total: 935

12/31/97



Total: 1,505

WINSTAR

COMMUNICATIONS, INC.

BROAD BANDWIDTH COVERAGE

More than 160 major markets

Coverage of approximately 170 million people

617 million channel POP

47 of the top 50 markets

500 MHz in New York City

400 MHz in New York State and 1700 MHz in

Spokane

500 MHz in 27 additional cities in top 50 markets

400 MHz in remaining 2 of top 50 markets

100 - 200 MHz in several dozen additional markets

WINSTAR

COMMUNICATIONS

WINSTAR TELECOMMUNICATIONS

Core Competencies Required



WINSTAR
TELECOMMUNICATIONS, INC.

WINSTAR WIRELESS

1996 Accomplishments

• 1996 Sprintspedia's Community Value

• Regional Marketing/Direct Mail/Print/Bill/Postcard

• Successful Trade Shows in Major Consumer Markets

• Sales to Major Cellular Networks

• Expanded Service of People's Choice

• Multi-Access Fiber Network Expansion

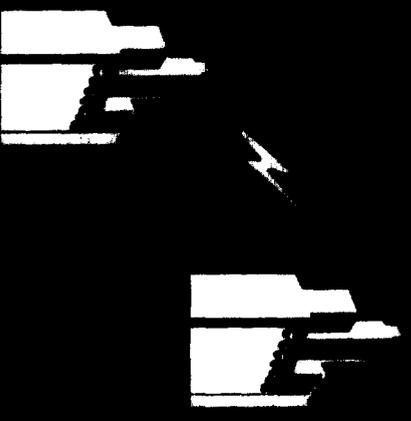
• Developed Network Deployment Model

• Developed Infrastructure for Significant Growth Regions

WINSTAR WIRELESS

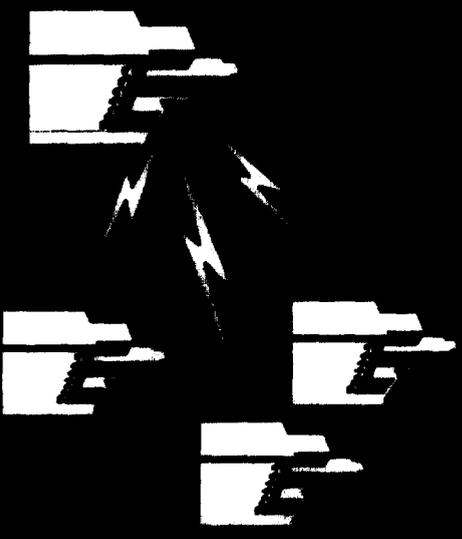
WINSTAR Network Evolution

1996

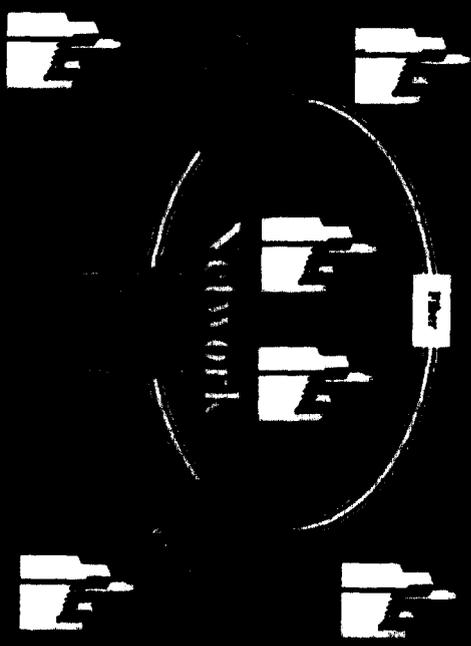


Point-to-Point Network
Direct
Dedicated Resources

1997



Built Sites
Dedicated Resources
Private Networks
PSC Cellular

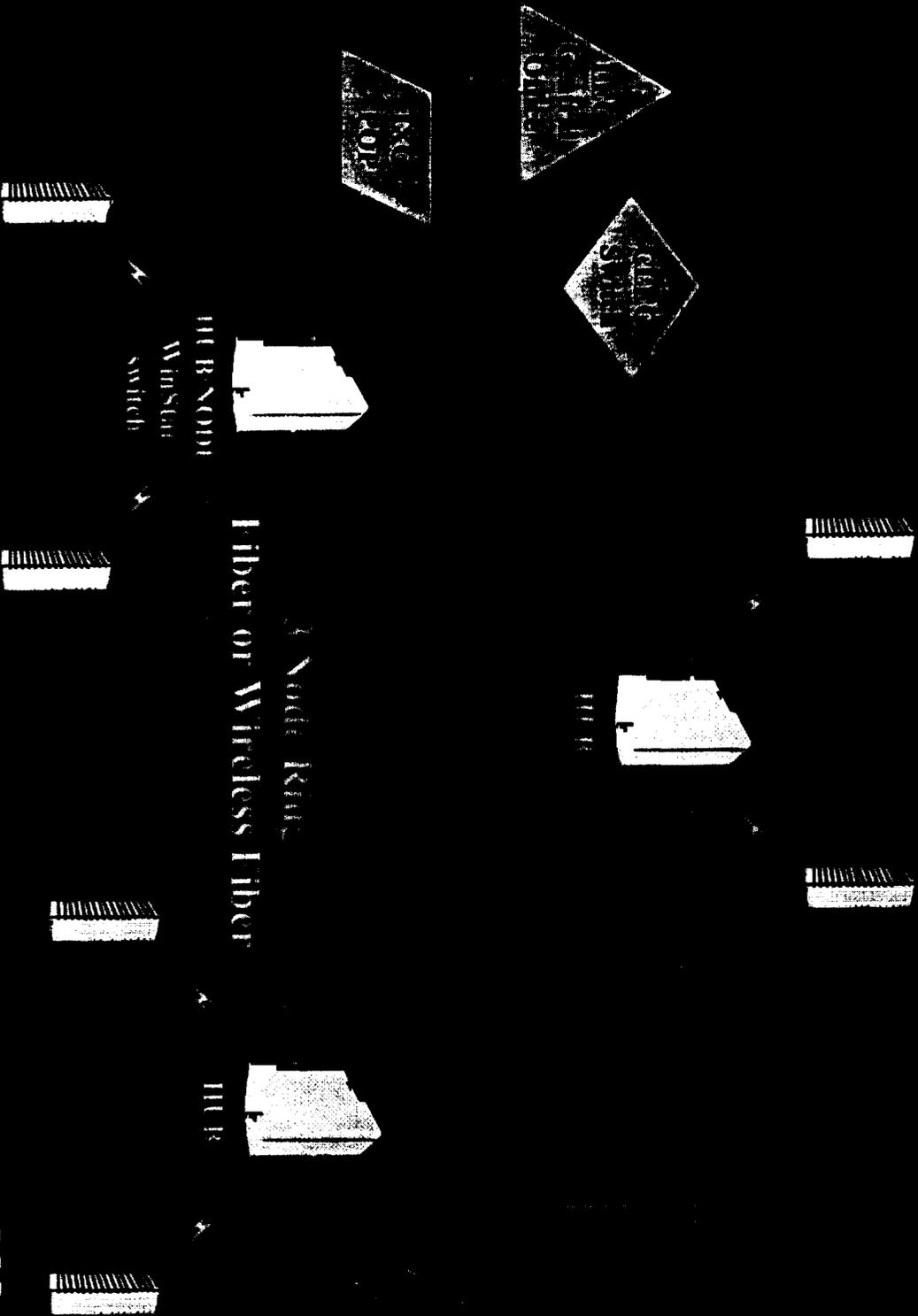


Point-to-Point Sites
Dedicated Resources
Private Networks
PSC Cellular

WINSTAR

WINSTAR WIRELESS

WINSTAR CITY ROLLOUT NODDI



WINSTAR WIRELESS

Long Term Competitive Cost Trend

Traditional Wireline Network
Labor Intensive

Cost



WinStar WIRELESS FIBERSM Services

Time



WINSTAR

COMMUNICATIONS

Emerging Wideband Multimedia Services

◆ *Internet Services*

- *High Speed Access***
- *On-Line Content Development & Consulting***
- *On-Line Information Services***
- *Corporate Home Page & Other Web Hosting***
- *Corporate Intranets***
- *Corporate Extranets***
- *Systems Integration & Maintenance***
- *Systems Security***
- *Desktop Interactive Video & Telephony***

Emerging Wideband Multimedia Services

◆ *Metropolitan Area Data Network Services*

- *Campus LAN Connectivity***
- *Metro Area WAN Connectivity***
- *10 mb/s, 100 mb/s Ethernet***
- *Frame Relay***
- *ATM***

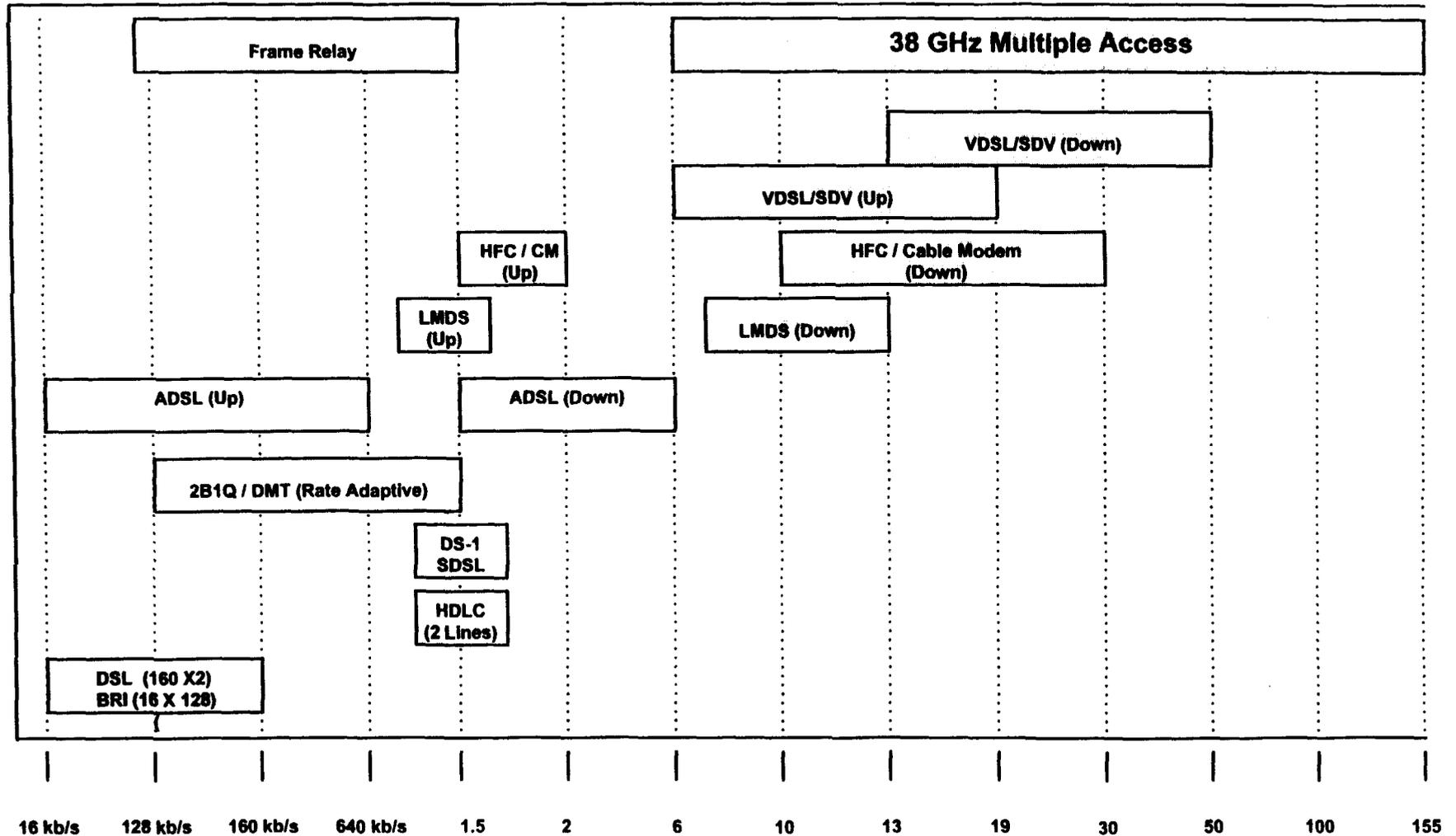
◆ *Video Services*

- *Corporate Video Broadcast***
- *Fixed Location Video Conferencing***
- *On Demand Video (Training)***

Emerging Wideband Multimedia Services

- ◆ ***Enterprise Data Network Service Drivers***
 - ***Point to Point Data Networks***
 - ***Line Protection & Disaster Recovery***
 - ***Private Voice/Data Networks***
 - ***Collaborative Work Environments***
 - ***Electronic Data Interchange***
 - ***Medical & Other Imaging Applications***
 - ***Transaction Processing and Financial Services***
 - ***Electronic Commerce***

38 GHz Multiple Access Positioning



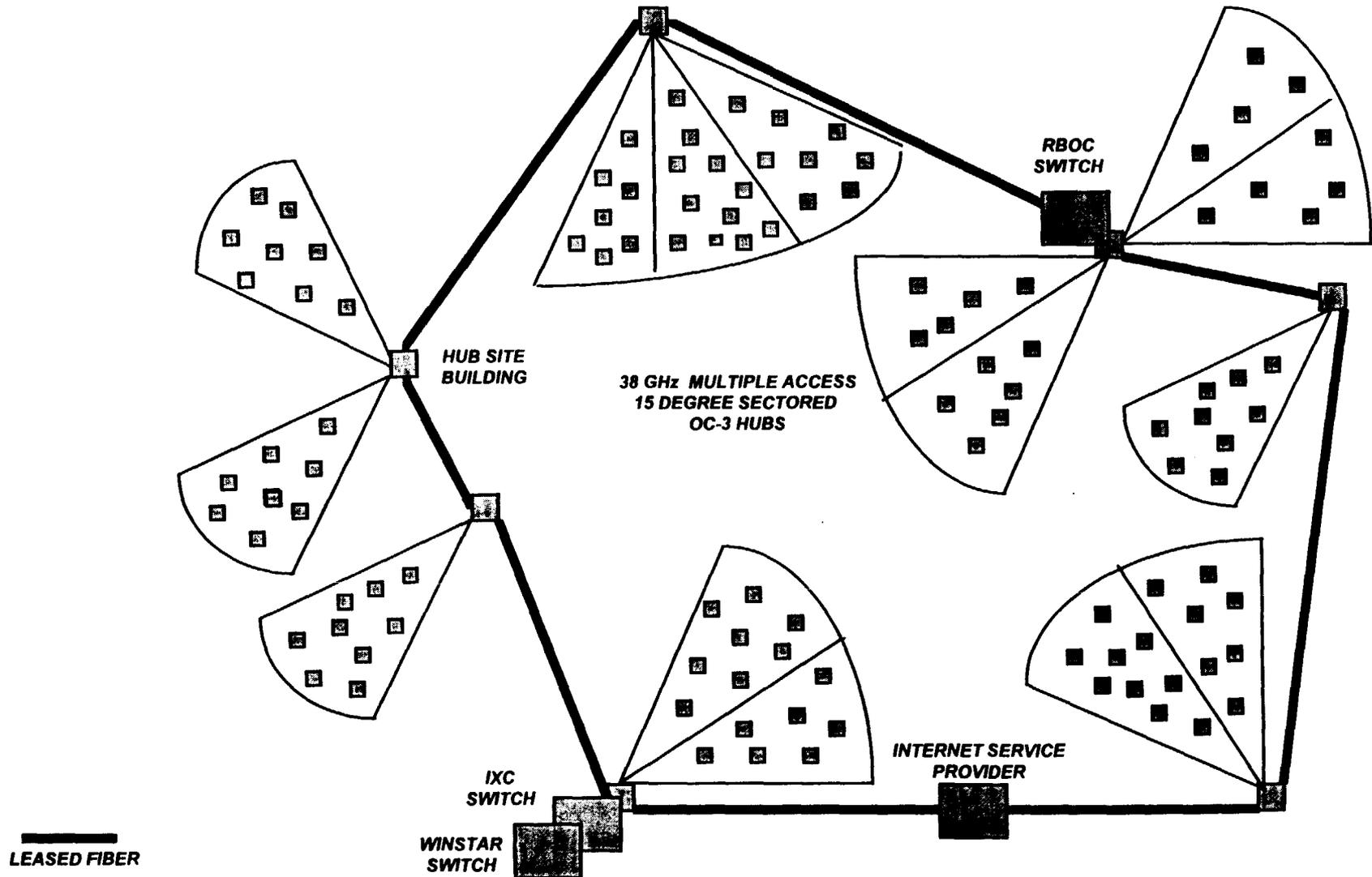
38 GHz Multiple Access

- ◆ **Terrestrial Microwave at 38 GHz**
- ◆ **Microcellular Network Architecture (.5 - 1.5 Mile Radius)**
- ◆ **Dedicated Bandwidth Allocated to Subscriber**
- ◆ **Symmetrical Data Rates of 6mb/s to OC-3**
- ◆ **OC-3 Cell Capacity Allocated Among Subscribers**
- ◆ **Threefold Increase in Bandwidth Efficiency Over Current 38 GHz Point to Point Technology**
 - **Point to Point: 1 Bit/Hz = 45 mb/s in 50 MHz Channel**
 - **Multiple Access: 3 Bits/Hz = 155 mb/s in 50 MHz Channel**
- ◆ **Line of Sight Required**
- ◆ **Planned Mid-1998 Availability**

WinStar Wideband Services Value Proposition

- ◆ ***WinStar Wideband Services is the Low Cost Provider of:***
 - ***High Speed Local Access via the WinStar Metro Area Network***
 - ***6 mb/s (59%), 10mb/s (39%), DS-3 (2%)***
 - ***High Speed Internet / World Wide Web Access***
 - ***Web Home Page Development & Hosting***
 - ***Intranet Development & Hosting***
 - ***Online Information & Other Content Development Services***
 - ***Video Communications & Video Training On Demand***
 - ***High Speed LAN / WAN Connectivity***
 - ***High Speed Point to Point Services (to OC-3)***
 - ***Frame Relay***
 - ***Local & Long Distance Voice Services (via WTI)***

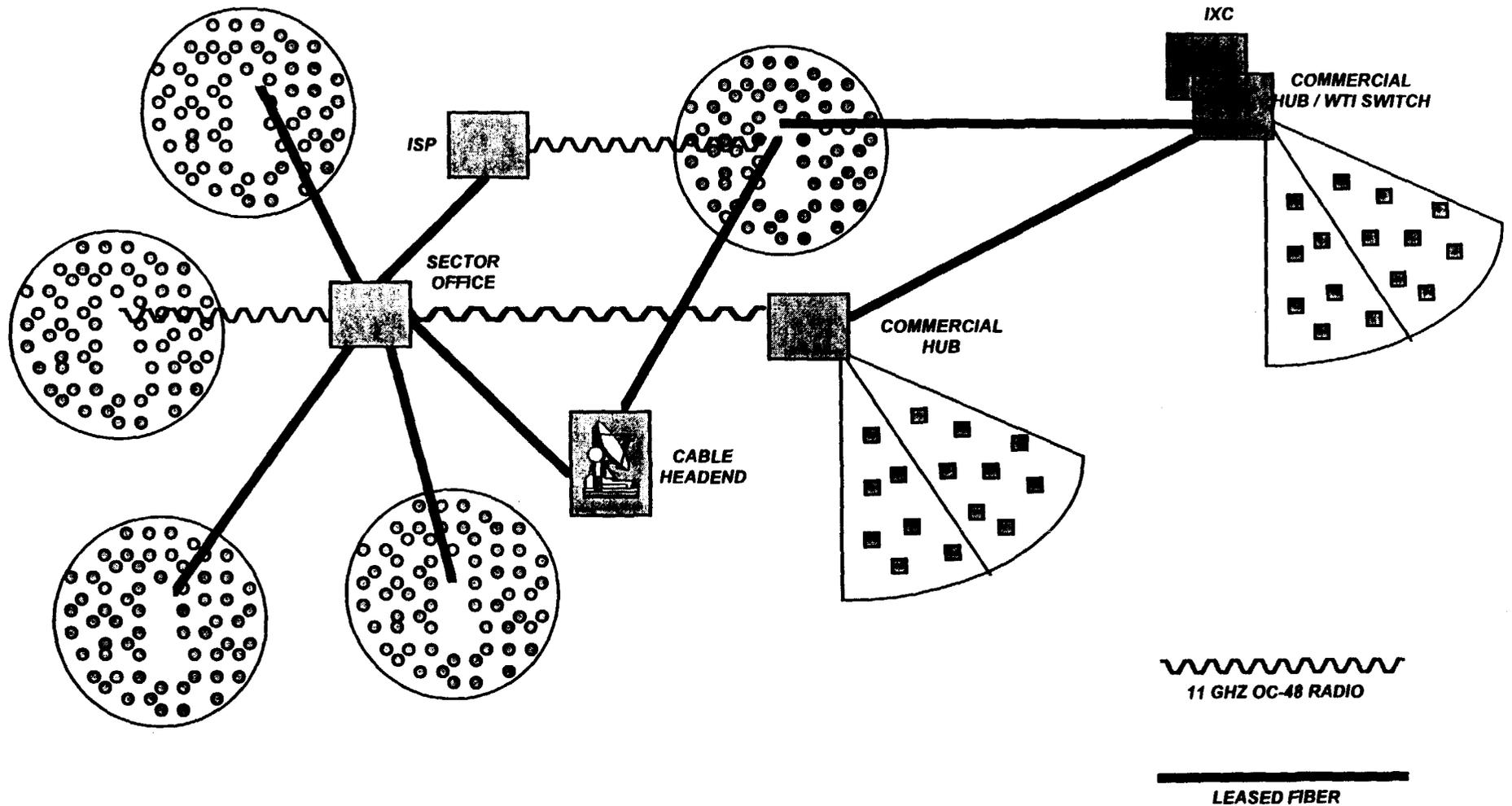
38 GHz Multiple Access Network Model



Commercial 38 GHz Multiple Access Hub Characteristics

- ◆ ***Hub Coverage: 1 Mile Average Radius Over 15 Degrees
(Minimum Size Sector)***
- ◆ ***52 City Blocks Covered***
- ◆ ***25+ Buildings With Line of Sight***
- ◆ ***Total Hub Bandwidth Capacity 155 Mb/s Per Channel Per Sector***
- ◆ ***Single Rooftop Antenna at Hub and Customer Locations***
- ◆ ***Symmetric Connections: Data Rates From 6 Mb/s to OC-3***
- ◆ ***Hubs Networked on leased Fiber on Hi Cap Radio***

Residential Multiple Access Hub Conceptual Model



Proprietary and Confidential Information of WinStar Communications, Inc.

Residential Multiple Access: Hub Characteristics

- ◆ ***Sectorized Hub Coverage***
- ◆ ***Sector Density: 1Mile Radius Over 5 Degrees***
- ◆ ***72 Sectors Per Hub for 360 Degree Coverage***
- ◆ ***576 Customers Per Hub***
- ◆ ***11,000 Customers Per City (Blended)***
- ◆ ***19 Hubs Per City Required to Support Projected Market***
- ◆ ***Asymmetric Connections to Home***
 - ***6 mbs Down***
 - ***1.54 mbs Up***
- ◆ ***Voice & Data Service Support***

COST-EFFECTIVE FAMILY OF SERVICES

- **Local Dial Tone Service**
 - **Vertical Services**
- **Long Distance**
- **Data**
- **Video**
- **Interactive**