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March 28, 1997

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

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Federal Communications Commission
Office of Secretary

Re: *Amendment of the Commission's Rules to Establish Part 27, the Wireless Communications Service — GN Docket No. 96-228; Oral Ex Parte Communication*

Dear Mr. Caton:

I am writing to advise the Commission that last evening, the undersigned spoke on behalf of the Wireless Cable Association International, Inc. ("WCA") with Charles J. Iseman, Chief of the Spectrum Policy Branch of the Office of Engineering and Technology, to discuss WCA's March 10, 1997 Petition for Expedited Reconsideration in connection with this proceeding.

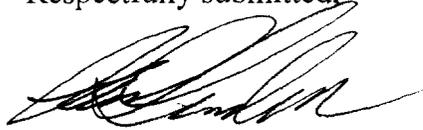
During the course of that conversation, it was stressed that WCA would not oppose reasonable rules that would permit a Wireless Communications Service ("WCS") licensee to operate with power levels in excess of a minimum safe harbor along the lines of the 20 watts EIRP level proposed by WCA, so long as the WCS licensee is obligated to protect Multipoint Distribution Service ("MDS") and Instructional Television Fixed Service ("ITFS") reception. However, it was noted that the rules should accommodate the inventory of MDS/ITFS downconverters currently maintained by licensees, system operators and manufacturers so as to avoid any undue hardship to those who have manufactured or purchased equipment that fully complies with the Commission's current rules. In particular, concern was expressed that if incumbent equipment — that which has been manufactured or will be manufactured while new downconverter designs are being developed and implemented — is not fully protected from WCS interference for its useful life (which generally exceeds ten years), manufacturers will be unable to sell their existing inventory, and licensees and system operators who have purchased equipment in good faith will be required to replace that equipment significantly earlier than planned.

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Should you have any questions regarding this filing, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Sinderbrand", written in a cursive style.

Paul J. Sinderbrand

Counsel for the Wireless Cable
Association International, Inc.

cc: Charles J. Iseman