

3. The Officer shall be responsible for maintaining complete records of all licensing related documents involving every 18 GHz path used by Liberty. For every path for which FCC authorization is sought after August 15, 1995, these files shall contain the documents listed in Exhibit 2. For licenses sought before July 15, 1995, the Officer shall develop as complete a file as is possible, seeking to compile all documents analogous to those listed in Exhibit 2.

B. Licensing Steps

1. The license acquisition process shall begin when any individual within Liberty determines that there is a significant likelihood that Liberty will need to initiate transmission of 18 GHz signal to a particular destination within the next six months. This determination, as soon as made, will be conveyed to the Officer by means of a "Path Acquisition Request," a copy of which is attached as Exhibit 3.

2. The Officer, upon receipt of a Path Acquisition Request, shall open a file pertaining to that Path and shall, if he/she determines that the path is likely to be needed by Liberty within the next six months, transmit the Path Acquisition Request, with his/her approval indicated, to the Chief Engineer.

3. The Chief Engineer shall, upon receipt of an approved Path Acquisition Request, perform the following tasks:

- a. determine whether line of site exists for the path;
- b. determine the coordinates of the receiving and transmitting locations for the path;
- c. determine the elevation above ground level of the transmitting and receiving locations;

- d. determine the type of antenna to be used at the receiving location; and
 - e. determine any other information needed by Comsearch to perform a prior coordination of the specific proposed microwave path.
4. The information referenced in point 3 shall be transmitted by the Chief Engineer to the Officer on a form called "Liberty Engineer Evaluation Report" (attached as Exhibit 4).
5. The Officer shall transmit the Liberty Engineer Evaluation Report to the following parties:
 - a. Comsearch, via fax, with a cover letter requesting that the path be coordinated.
 - b. The law firm retained to file 18 GHz license applications with the FCC, via fax, with a request that such firm be prepared to file any applicable FCC license applications as soon as Comsearch has completed prior coordination and notice procedures.
 - c. The Liberty employee initially requesting that the path be cleared.
6. Upon completion of its initial analysis of the desired path, but before circulation of Pre-Clearance Notifications, Comsearch shall be instructed by the Officer to send, via fax, to both the Chief Engineer and the Officer a Data Sheet for approval.
7. Upon verification of the accuracy of the information in the Data Sheet, the Chief Engineer shall so certify by sending to the Officer a copy of the Data Sheet with a signature indicating approval. The Officer shall then send the approved Data Sheet, via fax, to Comsearch, with a cover memorandum indicating that Comsearch should initiate prior coordination notification.

8. Upon completion of the prior coordination notification, Comsearch shall generate its Supplemental Showing and send copies of that showing to the Officer, the Chief Engineer, and the retained law firm.

9. The Officer, upon receipt of the Supplemental Showing, if there continues to be a likelihood that Liberty will need authorization for transmission over the path, shall instruct the retained law firm to prepare and file a license application and, when necessary and appropriate, an STA request as soon as permitted by then applicable FCC rules or procedures.

10. The retained law firm: a) shall submit all completed license applications or STA requests for review and signature by Liberty; (b) shall file the application or request with the FCC; c) shall copy the Officer on all correspondence; and d) shall indicate on all documents, licenses, STAs and correspondence not only the FCC file number but also the addresses of the transmission and receiving locations of the path at issue.

11. Whenever a license is received by Liberty, it shall send copies to the following parties: the Officer, the Chief Engineer, and the retained law firm.

12. Upon receipt of any license or STA, the Officer shall send to the Chief Engineer a copy of the completed FCC Path License Check List authorizing the initiation of service.

13. The Officer shall create a system to insure that 90 days before the expiration of any license, a renewal process is commenced.

C. Training Program

1. Every Liberty employee in the marketing, construction and engineering departments shall receive and acknowledge in writing receipt of this Compliance

FCC PATH LICENSE CHECK LIST

Transmission Location: _____

Receiving Location: _____

FCC Path Number: _____

1. Date Path Acquisition Request received by Officer: _____
2. From Whom Path Acquisition Request was Received: _____
3. Date Path Acquisition Request approved and sent to Chief Engineer: _____
4. Date Chief Engineer completed Liberty Engineer Evaluation Report: _____
5. Date Liberty Engineer Evaluation Report received by FCC Compliance Officer: _____
6. Date Officer transmitted Liberty Engineer Evaluation Report to:
 - a. Comsearch via fax requesting path coordination: _____
 - b. Retained law firm: _____
 - c. Liberty employee requesting path be cleared: _____
7. Date Officer received from chief engineer certification of accuracy of Comsearch data sheet: _____
8. Date Officer sent approved data sheet to Comsearch to initiate pre-clearance notification: _____
9. Date Comsearch supplemental showing received by:
 - a. Officer: _____
 - b. Chief Engineer: _____

10. Date Officer instructed retained law firm to prepare and file
license application: _____
11. Date Officer instructed retained law firm to prepare and file
STA application: _____
12. Date Liberty Officer received granted license : _____
13. Date Liberty Officer received granted STA: _____
14. Date Officer sent this completed form to Liberty chief engineer: _____
15. Expiration date of license: _____
16. Expiration date of STA: _____
17. All necessary FCC licensing steps have been completed for the path identified above and
consequently I authorize initiation of service over this path:

Date: _____

Signature: _____

FILE CHECKLIST

The Officer will be responsible for maintaining complete records of all licensing related documents for every 18GHz path used by Liberty. For each path for which FCC authorization is sought after August 7, 1995, the file should contain the following documents:

1. A completed and signed copy of the "FCC Path License Checklist."
2. A completed and signed "Path Acquisition Request."
3. A completed and signed "Liberty Engineer Evaluation Report."
4. Any correspondence between Liberty and Comsearch relating to the specific path .
5. Any correspondence between Liberty and the retained law firm relating to the specific path.
6. Any interoffice memoranda or correspondence between Liberty personnel relating to the specific path.
7. Any correspondence between Liberty and the FCC relating to the path.
8. STA applications.
9. Granted STA(s).
10. License applications.
11. Granted license(s).

PATH ACQUISITION REQUEST

To: FCC Compliance Officer

From: _____

Date: _____

1. Street address of location where Liberty is likely to need to initiate service within six months: _____

2. Date, if known, by which service is likely to be needed: _____

3. [To be completed by FCC Compliance Officer] Signature of FCC Compliance Officer, indicating approval of Path Acquisition Request and forwarding to Chief Engineer.

Signature

Date

LIBERTY ENGINEER EVALUATION REPORT

1. Address of receiving location: _____
2. Address of transmitting location: _____
3. Does line of site exist? If yes, date determined: _____
4. Coordinates of receiving location: _____
5. Coordinates of transmitting location: _____
6. The elevation above ground level of the receiving location: _____
7. The elevation above ground level of the transmitting location: _____
8. Type of antenna to be used at the receiving location: _____
9. Other information needed by Comsearch to perform a prior coordination of the proposed microwave path: _____

10. Date this Report is transmitted by Chief Engineer to FCC Compliance Officer:

Signature of Liberty Engineer who
determined information in report:

Date: _____

CHART I

BUILDINGS IN COMPLIANCE WHEN ACTIVATED

ADDRESS	CALL SIGN	DATE OF FIRST AUTHORIZATION	DATE OF FIRST SERVICE	TRANSMIT SITE
345 E. 86th Street	WNTM 385	2/28/92	9/4/92	Normandie
10 W. 66th Street	WNTM 210	2/2/92	4/9/92	Lincoln
180 East End Avenue	WNTM 385	2/21/92	2/17/93	Normandie
30 Lincoln Plaza - 30 W. 63rd Street	WNTM 210	2/21/92	3/24/93	Lincoln
Newport	WNTL 307	12/6/91	4/28/92	Milford
733 Park Avenue	WNTM 212	2/21/92	10/12/93	Bristol
1 Lincoln - 20 W. 64th Street	WNTM 385	2/28/92	4/23/94	Normandie
River Tower - 420 E. 54th Street	WNTM 212	2/21/92	6/92	Bristol
Milford Plaza Hotel	WNTM 210	2/21/92	8/92	Lincoln
Windsor Court	WNTM 212	12/6/91	1/92	Bristol
160 West End Avenue	WNTM 210	2/21/92	1/16/93	Lincoln
785 Park Avenue	WNTM 212	2/21/92	5/10/93	Bristol
29 E. 64th Street	WNTM 212	2/21/92	7/1/92	Bristol
Mayfair - 207 E. 74th Street	WNTM 212	2/21/92	12/7/92	Bristol
St. Tropez - 340 East 64th Street	WNTM 212	2/21/92	4/15/92	Bristol
35 Park Avenue	WNTM 555	2/28/92	3/17/93	Windsor
The Horizon - 415 E. 37th Street	WNTM 555	2/28/92	10/28/92	Windsor
175 E. 62nd Street	WNTM 212	2/21/92	12/16/92	Bristol
179 E. 70th Street	WNTM 385	2/28/92	3/2/92	Normandie

CHART 1

BUILDINGS IN COMPLIANCE WHEN ACTIVATED

ADDRESS	CALL SIGN	DATE OF FIRST AUTHORIZATION	DATE OF FIRST SERVICE	TRANSMIT SITE
60 East End Avenue	WNTM 385	2/28/92	9/20/93	Normandie
25 Sutton Place	WNTM 212	5/11/93 (STA)	6/24/93	Bristol
650 Park Avenue	WNTM 212	2/21/92	1/26/95	Bristol
857 Fifth Avenue	WNTM 212	7/28/93 (STA)	11/15/93	Bristol
2 E. 70th Street	WNTM 212	7/28/93 (STA)	10/4/93	Bristol
Claridge House - 201 E. 87th Street	WNTM 385	7/28/93 (STA)	10/6/93	Normandie
Stonehenge	WNTM 385	12/6/91(STA)	10/25/93	Normandie
301 E. 62nd Street	WNTM 212	8/12/93 (STA)	10/4/93	Bristol
49 E. 86th Street	WNTM 385	10/4/93 (STA)	11/3/93	Normandie
251 E. 51st Street	WNTM 212	10/1/93	10/18/93	Bristol
898 Park Avenue	WNTM 212	1/11/94	3/2/94	Bristol
Grand Central Hyatt - 109 E. 42nd Street	WNTM 555	5/13/93	7/30/93	Windsor
Highgate 182 E. 95th Street	WNTM 385	7/28/93 (STA)	7/28/93	Normandie
Bristol - 205 E. 64th Street	WNTM 385	12/6/91 (STA)	12/15/91	Normandie

CHART 2

BUILDINGS ACTIVATED WITH LICENSES PENDING

A. THE 15 BUILDINGS DISCOVERED IN APRIL 1995

ADDRESS	COMSEARCH COORD. (PCN Date)	FINAL COORD.	LICENSE APPL. DATE	STA FILED	STA GRANTED	EARLIEST CUSTOMER SERVICE DATE	TRANSMIT SITE
NYU Medical Resident Hall -	9/26/94	10/31/94	11/7/94	5/4/95	Pending	1/11/95	Windsor
Greenburg Hall	9/26/94	10/31/94	11/7/94	5/4/95	Pending	1/23/95	Windsor
GM Building 767 Fifth Avenue	9/26/94	10/31/94	11/7/94	5/4/95	Pending	4/12/95	Normandie
524 E. 72nd Street	9/26/94	10/31/94	11/7/94	5/4/95	Pending	11/16/94	Bristol
114 E. 72nd Street	10/13/94	11/17/94	11/23/94	5/4/95	Pending	1/30/95	Bristol
639 West End Avenue	11/16/94	12/21/94	12/22/94	5/4/95	Pending	2/14/95	Lincoln
35 West End Avenue	11/16/94	12/21/94	12/22/94	5/4/95	Pending	1/3/95	Lincoln
25 W. 54th Street	11/13/94	11/17/94	11/23/94	5/4/95	Pending	2/6/95	767 Fifth Avenue
6 E. 44th Street	1/12/95	2/16/95	2/21/95	5/4/95	Pending	4/12/95	335 Madison Avenue
The Brittany 441 E. 92nd Street	1/12/95	2/16/95	2/21/95	5/4/95	Pending	1/23/95	Normandie
100 Waterside Plaza	1/12/95	2/16/95	2/21/95	5/4/94	Pending	3/15/95	Bristol
16 W. 16th Street	1/12/95	2/16/95	2/21/95	5/4/95	Pending	3/28/95	Waterside

CHART 2

BUILDINGS OPERATING WITH LICENSES PENDING

A. THE 15 BUILDINGS DISCOVERED IN APRIL 1995 (CONTD)

ADDRESS	COMSEARCH COORD. (PCN Date)	FINAL COORD.	LICENSE APPL. DATE	STA FILED	STA GRANTED	EARLIEST CUSTOMER SERVICE DATE	TRANSMIT SITE
2727 Palisades	2/16/95	3/21/95	3/24/95	5/19/95	Pending	4/24/95	Century
200 E. 32nd Street	2/16/95	3/21/95	3/23/95	5/4/95	Pending	3/27/95	Windsor
433 E. 56th Street	11/16/94	12/21/94	1/31/95	5/4/95	Pending	12/27/94	Bristol

B. THE FOUR BUILDINGS DISCOVERED DURING THE INVESTIGATION

ADDRESS	COMSEARCH COORD. (PCN Date)	FINAL COORD.	LICENSE APPL. DATE	STA FILED	STA GRANTED	EARLIEST CUSTOMER SERVICE DATE	TRANSMIT SITE
430/440 E. 56th Street (East 56th)	3/21/94	7/14/95	7/17/95	7/24/95	Pending	7/11/94	Bristol
Wales Hotel 1295 Madison Avenue (East 92nd)	5/24/94	7/14/95	7/17/95	7/24/95	Pending	7/28/94	Normandie
35 E. 85th Street (East 85th)	5/24/94	7/14/95	7/17/95	7/24/95	Pending	7/18/94	Normandie
Liberty race -380 Rector Place (Liberty Tower)	5/24/94	7/14/95	7/17/95	7/24/95	Pending	10/12/94	99 Battery

CHART 3

BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE

ADDRESS	CALL SIGN	PCN DATES	LICENSE APPLICATION FILED	FIRST AUTHORIZATION DATE	FIRST SERVICE DATE	TRANSMIT SITE
Andover - 1675 York Avenue	WNTM 385	5/28/92	7/16/92	2/17/94	6/2/92	Normandie
345 E. 52nd Street	WNTP 569	11/4/92	11/6/92	5/10/93 (STA)	7/28/92	River Tower
420 E. 51st Street	WNTP 569	8/24/92	10/30/92	5/10/93 (STA)	6/25/92	River Tower
Random House - 201 E. 50th Street	WNTP 569	8/24/92	10/30/92	5/10/93 (STA)	10/1/92	River Tower
Phoenix - 160 E. 65th Street	WNTM 212	8/24/92	10/30/92	5/11/93 (STA)	9/10/92	Bristol
Four Seasons Hotel	WNTM 212	8/24/92	10/30/92	5/11/93 (STA)	2/1/93	Bristol
125 W. 55th Street	WNTM 210	8/24/92	10/30/92	5/10/93 (STA)	9/1/92	Lincoln
45 E. 72nd Street	WNTM 210	8/24/92	10/30/92	5/10/93 (STA)	9/25/92	Lincoln
Parker Meridien Hotel	WNTM 210	8/24/92	10/30/92	5/10/93 (STA)	9/1/92	Lincoln
Henderson House - 535 E. 86th Street	WNTM 385	10/10/92	1/7/93	5/10/93 (STA)	10/5/92	Normandie

CHART 3

BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE

ADDRESS	CALL SIGN	PCN DATES	LICENSE APPLICATION FILED	FIRST AUTHORIZATION DATE	FIRST SERVICE DATE	TRANSMIT SITE
Lincoln Plaza - 44 W. 62nd Street	WNTM 210	8/24/92	10/30/92	5/10/93 (STA)	10/14/92	Lincoln
19 E. 88th Street	WNTM 385	10/23/92	1/8/93	5/10/92 (STA)	12/21/92	Normandie
111 E. 30th Street	WNTM 555	10/23/92	1/8/93	5/13/93 (STA)	12/21/92	Windsor
175 E. 74th Street	WNTM 212	1/13/93	4/1/93	12/1/93	3/9/93	Bristol
812 Fifth Avenue	WNTM 212	1/13/93	4/1/93	5/11/93 (STA)	3/9/93	Bristol
400 E. 59th Street	WNTM 212	1/13/93	4/1/93	12/1/93	2/11/93	Bristol
510 E. 86th Street	WNTM 212	1/13/93	4/1/93	5/10/93 (STA)	2/1/93	Normandie
116 E. 66th Street	WNTM 212	2/2/93	4/1/93	5/11/93 (STA)	4/21/93	Bristol
90 Riverside Drive	WNTM 385	2/2/93	4/1/93	5/10/93 (STA)	3/16/93	Normandie
200 E. 36th Street	WNTM 555	2/2/93	4/1/93	5/13/93	4/29/93	Windsor
108 E. 82nd Street	WNTM 212	4/21/94	7/15/94	12/20/94	6/20/94	Bristol
302 E. 88th Street	WNTM 385	4/1/93	5/13/93	7/28/93 (STA)	4/28/93	Normandie
911 Park Avenue	WNTM 212	4/1/93	5/13/93	7/28/93 (STA)	4/7/93	Bristol

CHART 3

BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE

ADDRESS	CALL SIGN	PCN DATES	LICENSE APPLICATION FILED	FIRST AUTHORIZATION DATE	FIRST SERVICE DATE	TRANSMIT SITE
38 E. 85th Street	WNTM 385	4/1/93	5/13/93	7/28/93 (STA)	6/15/93	Normandie
155 E. 73rd Street	WNTM 212	4/1/93	5/13/93	8/12/93	6/16/93	Bristol
245 E. 25th Street	WNTM 555	4/1/93	5/13/93	7/29/93	7/1/93	Windsor
407 Park Avenue South	WNTM 555	4/1/93	5/13/93	7/29/93 (STA)	6/2/93	Windsor
145 E. 84th Street	WNTM 212	7/6/93	7/23/93	10/1/93 (STA)	8/3/93	Bristol
555 Park Avenue	WNTM 212	11/19/91	11/29/91	2/21/92	1/28/92	Bristol
Imperial House - 150 E. 69th Street	WNTM 212	4/12/93	5/21/93	8/12/93 (STA)	6/14/93	Bristol
333 E. 55th Street	WNTP 569	4/12/93	5/21/93	7/28/93 (STA)	5/24/93	River Tower
Biltmore - 155 E. 29th Street	WNTM 555	4/28/93	5/13/93	7/29/93 (STA)	7/28/93	Windsor
550 Park Avenue	WNTM 212	4/28/93	5/13/93	7/28/93 (STA)	6/6/93	Bristol
12 W. 96th Street	WNTM 385	4/28/93	5/13/93	7/28/93 (STA)	7/12/93	Normandie
1112 Park Avenue	WNTM 385	5/24/93	6/15/93	7/28/93 (STA)	7/6/93	Normandie

CHART 3

BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE

ADDRESS	CALL SIGN	PCN DATES	LICENSE APPLICATION FILED	FIRST AUTHORIZATION DATE	FIRST SERVICE DATE	TRANSMIT SITE
33 W. 67th Street	WNTM 210	5/24/93	6/15/93	10/4/93 (STA)	6/24/93	Lincoln
200 E. 89th Street	WNTM 210	10/22/93	11/22/93	4/12/94	8/23/93	Lincoln
169 E. 69th Street	WNTM 212	7/6/93	7/23/93	10/1/93 (STA)	9/29/93	Bristol
350 E. 57th Street	WNTM 212	7/6/93	7/23/93	10/1/93 (STA)	9/1/93	Bristol
820 Park Avenue	WNTM 212	7/6/93	7/23/93	10/1/93	8/9/93	Bristol
144 E. 84th Street	WNTM 212	4/1/93	5/13/93	7/28/93 (STA)	6/12/93	Bristol
170 E. 87th Street	WNTM 385	7/6/93	7/23/93	10/4/93 (STA)	8/26/93	Normandie
175 W. 73rd Street	WNTM 210	7/6/93	7/23/93	10/4/93 (STA)	9/27/93	Lincoln
229 E. 79th Street	WNTM 212	8/10/93	9/7/93	12/1/93	10/28/93	Bristol
1155 Park Avenue	WNTM 385	8/10/93	9/7/93	11/16/93	10/25/93	Normandie
215 W. 91st Street	WNTM 210	8/10/93	9/7/93	1/6/94	11/15/93	Lincoln
186 W. 80th Street	WNTM 210	8/10/93	9/7/93	1/6/94	11/10/93	Lincoln
140 E. 81st Street	WNTM 212	10/22/93	11/22/93	4/12/94	2/28/94	Bristol
140 E. 83rd Street	WNTM 212	2/9/94	3/22/94	9/2/94	3/28/94	Bristol

CHART 3

BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE

ADDRESS	CALL SIGN	PCN DATES	LICENSE APPLICATION FILED	FIRST AUTHORIZATION DATE	FIRST SERVICE DATE	TRANSMIT SITE
333 E. 57th Street	WNTM 212	11/19/93	1/12/94	6/10/94	12/27/93	Bristol
40 E. 78th Street	WNTM 212	11/19/93	1/12/94	6/10/94	1/24/94	Bristol
575 Madison Avenue	WNTM 212	11/19/93	1/12/94	6/10/94	2/4/94	Bristol
1001 Fifth Avenue	WNTM 385	11/19/93	1/12/94	6/10/94	1/4/94	Normandie
Delmonico Hotel	WNTM 212	11/19/93	1/12/94	6/10/94	1/26/94	Bristol
115 Central Park West	WNTM 210	12/14/93	1/12/94	6/10/94	3/31/94	Lincoln
80 East End Avenue	WNTM 385	12/14/93	1/12/94	6/10/94	2/7/94	Normandie
167 East 67th Street	WNTM 212	12/14/93	1/12/94	6/10/94	5/9/94	Bristol
936 Fifth Avenue	WNTM 212	12/14/93	1/12/94	6/10/94	3/14/94	Bristol
140 E. 72nd Street	WNTM 212	2/9/94	3/22/94	9/2/94	3/14/94	Bristol
Roosevelt Island - Manhattan Park	WNTM 212	2/9/94	3/22/94	9/2/94	6/14/94	Bristol
211 E. 51st Street	WNTM 212	4/21/94	7/15/94	12/20/94	5/3/94	Bristol
860 U. N. Plaza	WNTM 212	4/21/94	7/15/94	12/20/94	4/18/94	Bristol

CHART 3

BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE

ADDRESS	CALL SIGN	PCN DATES	LICENSE APPLICATION FILED	FIRST AUTHORIZATION DATE	FIRST SERVICE DATE	TRANSMIT SITE
Liberty Court - 260 Rector Street	WNTM 782	4/21/94	7/15/94	12/28/94	8/2/94	99 Battery
Riva Pointe - 600 Harbor Boulevard	WNTL 307	6/28/94	8/24/94	11/7/94	8/10/94	Milford
142 E. 71st Street	WNTM 212	6/28/94	8/25/94	12/20/94	8/3/94	Bristol
71 E. 77th Street	WNTM 212	6/28/94	8/25/94	12/20/94	8/10/94	Bristol
Park Central Hotel - 870 Seventh Avenue	WNTM 210	6/28/94	8/24/94	11/15/94	7/1/94	Lincoln
Prudential - One New York Plaza	WNTW 782	7/29/94	9/13/94	12/28/94	10/1/94	99 Battery
1111 Park Avenue	WNTM 385	7/29/94	9/13/94	12/16/94	10/5/94	Normandie
245 E. 87th Street	WNTM 385	7/29/94	9/13/94	12/16/94	9/22/94	Normandie
201 E. 66th Street	WNTM 212	7/29/94	9/13/94	12/20/94	10/11/94	Bristol
3601 Johnson Avenue	WNTX 889	9/26/94	11/8/94	2/6/95	11/14/94	Century

CHART 3

BUILDINGS ACTIVATED WITHOUT AUTHORIZATION THAT ARE NOW IN COMPLIANCE

ADDRESS	CALL SIGN	PCN DATES	LICENSE APPLICATION FILED	FIRST AUTHORIZATION DATE	FIRST SERVICE DATE	TRANSMIT SITE
3755 Henry Hudson Parkway	WNTX 889	9/26/94	11/8/94	2/6/95	1/9/95	Century
3515 Henry Hudson Parkway	WNTX 889	9/26/94	11/8/94	2/6/95	11/14/94	Century

CHART 4

HARDWIRED BUILDINGS

ADDRESS	RECEIVE DISH LOCATION	EARLIEST CUSTOMER SERVICE DATE
Franklin Hotel - 164 E. 87th Street	170 East 87th Street - Gotham	10/21/93
225 E. 74th Street	207 East 74th Street	2/6/95
Lincoln Harbor Yacht Club	600 Harbor Blvd. Riva Pointe	4/13/95
60 Sutton Place	420 East 54th Street	11/23/92
525 E. 86th Street	535 East 86th Street	5/5/94
120 East End Avenue	510 East 86th Street	7/18/94
220 E. 52nd Street	211 East 51st Street	6/13/94
239 E. 79th Street	229 East 79th Street	3/28/94
425 E. 58th Street	400 East 59th Street	5/25/94
Carnegie Tower -Russian Tea Room 152 W. 57th Street	118 West 57th Street - Parker Meriden	1/31/94
44 W. 96th Street	12 West 96th Street	12/15/93
55 Central Park West	10 West 66th St.	9/21/94
170 West End Avenue	160 West End Ave.	5/26/94

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In December, 1991, Mr. Popkin advised that some of our paths were misidentified. We reviewed the paths he cited and found he was in error. At a later date, he plotted every path we had submitted for coordination and claims that they might all be in error. He made his claim based on the use of a streetmap for addresses and a lack of full information as to where the buildings were within a block.

We rechecked all of the locations in the applications and found two errors of a few hundred feet. The errors in coordination, by 3 seconds at most, are at 1007 York Avenue and 1148 Fifth Avenue. The corrected information was sent to Comsearch for recoordination, at STC's expense. The two affected paths are not on Liberty's high priority list.

Bristol

The original application was filed on August 16, 1991, for paths from Bristol to Windsor and to 25 Sutton Place South. Mr. Popkin noted that there was flawed information on the frequency coordination and the license application. He was advised that we would submit new coordination data and refile the combined applications. As noted above, the FCC has also noted these flaws and requests a response from Liberty by January 17, 1992.

For the same reason as noted above, a new address was established for Bristol at 205 East 64th Street, and an application submitted on November 29, 1991, including 21 paths. We have rechecked all paths on a computer-based U.S. Coast and Geodetic Service Map and found some 2 and 3 second errors, plus a typographical error on an address, affecting 9 of the 21 paths. These corrections have been forwarded to Comsearch for recoordination, at STC's expense. The 9 affected paths are not on Liberty's high priority list.

Lincoln Plaza

The application was filed on November 29, 1991 for 4 paths, including the connection to Milford Plaza. A review of the application finds that it is accurate as required by the FCC.

Milford Plaza

The application was filed September 10, 1991, for one path to Newport City. The application was found to be flawed, having incorrect coordinates. (Mr. Popkin did not call these to our attention.) On December 9 an application for modification was submitted amending the original and adding a "new receive site" at Newport City, with the correct latitude and longitude.

Windsor Court

The application was filed November 29, 1991 for 4 paths. Review of the application finds that it is accurate as required by FCC.

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Special Temporary Authority (STA)

On November 25, requests were submitted for STA's to operate from Normandie to Bristol and Stonehenge, from Bristol to Windsor and 25 Sutton Place South, as well as from Milford to Newport City. These requests have been granted.

On December 10, requests for STA were submitted for operation from 1692 Third Avenue (Normandie) to 13 sites, from 205 East 64th Street (Bristol) to 21 sites, from 1 Lincoln Plaza to 4 sites, from Windsor Court to 4 sites and from Milford Plaza to Newport City. All of these requests were rejected by the FCC.

Test Authority

This will reconfirm that we have on hand a Test License provided to Liberty by Hughes Microwave. This Test License authorizes Liberty to operate the 18 GHz equipment at any location, at any azimuth, from any type of antenna, for test purposes, on the condition that transmission would be discontinued if any interference is noted. The other condition of operating are that Liberty keep a log of the "tests" and not enter into "commercial service" with transmissions made under the test license.

Responses to FCC Questions

The original applications were flawed, as noted above. The STA's that were granted cover the original applications, and thus are also flawed. Under normal procedures, the FCC would cancel the STA's. We have until January 17 to provide a response in an attempt to preserve the STA's.

The following responses are proposed for consideration:

1. Advise the FCC that the filings were all made in good faith, but that Liberty was deluded by the supplier, AML - Specialties Corporation, who prepared the application information for their submission. Further advise the FCC that Liberty is seeking redress from AML (?) for money advanced and equipment and services not supplied.

After the STA's were requested, Liberty realized there were flaws in the original applications. Liberty had been operating on the applied for paths under a test license and no interferences was reported. Liberty felt that a similar non-interference operation under STA would cause no harm to any other equipment operation. Liberty's new applications are planned to correct for any path discrepancies and it is felt that the original flaws could be overcome by new grants, and that the earlier applications and resultant action could be amended or abandoned as required.

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(Making statements of this type would provide the FCC with an admission that Liberty knowingly accepted and operated under an STA with flawed information. While the FCC may be willing to admit that no interference was caused and no harm resulted to any entity, they may be required to levy a fine on Liberty for every violation of the rules.)

2. Liberty's response could be that they recognize the flaws in the applications and the STA. Explanation could be made that these flaws only came to Liberty management's attention after the STA request.

Liberty had hoped the applications would be granted in a short time and planned to immediately submit modifications. In addition, Liberty hoped that its new applications would be granted in a short time and overcome the flaws in the earlier submissions.

Liberty could then consider requesting the FCC to maintain the STA until the licenses are granted. If the STA's are rescinded, Liberty cannot operate commercially until a license is granted. This may mean that Liberty would have to operate under the test license, not charging for commercial services, until the end of January or early February. It is suggested that the FCC be asked to expedite Liberty's license applications to assist Liberty in developing this new competitive service.

3. There are other responses possible, and it is suggested that these be reviewed with Todd Pariott. It would appear that one key element is to maintain transmission of existing signals and to move as rapidly as possible toward full licensing. This may be best achieved under the new pending applications. They, in fact, cover all sites (even though Bristol is not specified from Normandie in the new application, Bristol is in fact co-linear with two other sites that are specified.)

The FCC may feel that they must fine Liberty. It would be important to find out if this becomes public information and might be utilized by Liberty's detractors. If this information would be public, it is suggested that we take all possible steps to avoid a fine.

I have discussed a strategy meeting with Todd Pariott suggesting that we may wish to sit across the table in Washington preparatory to visiting with FCC staff. He suggests that we might better counsel by telephone. I advised that we would be meeting this afternoon, and would be speaking with him shortly.

TO: Bruce McKinnon
FROM: Peter O. Price
DATE: February 26, 1992
SUBJECT: FCC Licenses and Procedures

In order to accurately audit what licenses Liberty has requested and which have been provided, I have asked Joe Stern to analyze the procedure. Please don't get diverted by the piles of paper arriving from Washington because they require an inordinate amount of time in order to log and maintain. You should concentrate upon the planning, installation and operation of our system without being distracted by the administration. Once Joe has audited our list of applications against the licenses received and set up a maintenance procedure going forward, we can bring the function into Liberty as an Engineering Department responsibility. We are clearly not ready for that step, so in the meantime I will ask Stern Telecommunications to coordinate the function with Todd Parriott and advise us on a weekly basis in the form of a standardized report.

cc: J. Stern
T. Parriott
J. Curbelo