UTC
THE TELECOMMUNICATIONS ASSOCIATION
50 Years of Leadership
1948 - 1998

EX PARTE OR LATE FILED

TEL +1•202•872•0030
FAX +1•202•872•1331
WEB PAGE: www.utc.org

(202) 872-0031x214

DOCKET FILE COPY ORIGINAL

RECEIVED
DEC 3 - 1997
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

December 3, 1997

Magalie Roman Salas
Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

Ex Parte

Re: CC Docket No. 96-98
CS Docket No. 97-141
WT Docket No. 97-81
WT Docket No. 95-157
CS Docket No. 97-98
PR Docket No. 92-235
ET Docket No. 95-18

Dear Ms. Salas:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, this is to notify you that Paul Dubrachek, Thomas Goode, Sean Stokes and Jeffrey Sheldon of UTC met with Commissioner Gloria Tristani and Karen Gulick, Legal Advisor to Commissioner Tristani, to discuss UTC's position in the above-referenced dockets. Attached is a copy of the background information supplied by UTC.

Two copies of this notice are being filed for inclusion in each of the above-referenced dockets. Should any questions arise concerning this matter, please contact undersigned counsel.

Very truly yours,

Thomas E. Goode
Senior Staff Attorney

Enclosure

Cc: Commissioner Gloria Tristani
Karen Gulick, Legal Advisor

1140 CONNECTICUT AVENUE, NW • SUITE 1140 • WASHINGTON, DC 20036 • USA

UTC
THE TELECOMMUNICATIONS ASSOCIATION
50 Years of Leadership
1948 - 1998

TEL +1•202•872•0030
FAX +1•202•872•1331
WEB PAGE: www.utc.org

UTC, The Telecommunications Association
Background Information

I. What is UTC, The Telecommunications Association?

A. International trade association founded in 1948 (formerly known as Utilities Telecommunications Council)

B. Membership is comprised of over 1,200 electric, gas, water and steam utilities, natural gas pipelines of all sizes and ownership types
- Investor-owned utilities
- Cooperatives
- Municipal electric departments
- Federal government

C. Focus of representation is communications
- Before the FCC, Federal and state legislative and regulatory bodies
- On a broad variety of issues, as users and providers of telecommunications

D. UTC is the authorized frequency coordinator for the Power Radio Service

E. UTC also provides educational opportunities for its members
- Numerous educational seminars and conferences
- Publications and magazines

F. UTC is closely affiliated with:
- American Gas Association
- American Public Power Association
- American Water Works Association
- Association of Edison Illuminating Companies
- Edison Electric Institute
- Interstate Natural Gas Association of America
- National Rural Electric Cooperative Association

II. Use of Private Communications Systems

A. To monitor, control, coordinate and protect utility operations

B. Types of systems used:
1. Land Mobile Radio -- coordinate field crews/restoration efforts
2. Point-to-Point Microwave -- detecting and isolating faults; remote switching; relaying remote date
3. Multiple Address Systems -- Supervisory Control and Data Acquisition (SCADA)
4. Fiber Optics -- system control; data and video transfer

III. Need for Private Communications Systems

A. High reliability

B. System control

C. Minimize interdependence with public telecom networks for disaster recovery

D. Regulatory/safety requirements

E. Unique/expansive operating territories and operational requirements

1140 CONNECTICUT AVENUE, NW • SUITE 1140 • WASHINGTON, DC 20036 • USA

SUMMARY OF CURRENT ISSUES OF INTEREST TO UTC

I. Implementation of the Telecommunications Act of 1996

As the utility industry undertakes dramatic restructuring and utilities explore opportunities to diversify their offerings to include telecommunications and information products and services, utilities support removal of barriers to entry and fair competition.

A. **Preemption of Barriers to Entry** -- UTC supports preemption of state laws that prohibit municipally-owned utilities from providing telecommunications services.

B. **Right-of-Way Access** (CC Docket No. 96-98; CS Docket No. 97-98, and CS Docket No. 97-141) -- UTC supports reliance on marketplace negotiations

II. Wireless Issues

UTC supports the protection of private communications systems that are operated to meet unique internal operational requirements and for which there are no commercially-viable substitutes.

A. **Private Land Mobile Refarming** (PR Docket No. 92-235) -- UTC supports special coordination protections for services, including utilities and pipelines, which were identified as "public safety radio services" in the Budget Act of 1997.

B. **Multiple Address Systems** (WT Docket No. 97-81) -- Sufficient MAS spectrum should be allocated for telemetry use by utilities and other public safety/public service entities.

C. **2 GHz Microwave** (ET Docket No. 95-18; WT Docket No. 95-157) -- The FCC should retain its cost reimbursement program for relocating microwave systems from the 2 GHz band for PCS and Mobile Satellite Services.