

DOCKET FILE COPY ORIGINAL

**RUBIN, WINSTON, DIERCKS, HARRIS & COOKE, L.L.P.**

A REGISTERED LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

TENTH FLOOR

1333 NEW HAMPSHIRE AVENUE, N.W.

WASHINGTON, D.C. 20036

(202) 861-0870

FAX: (202) 429-0657

**RECEIVED**

JAN 27 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

January 27, 1998

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

**EX PARTE OR LATE FILED**

Re: Notice of Permissible Ex Parte Communication concerning Broadband PCS  
C and F Block Installment Payment Restructuring; WT Docket No. 97-82

Dear Ms. Salas:

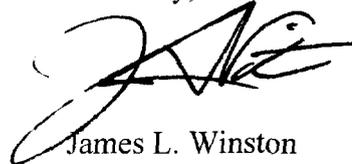
Urban Communicators PCS Limited Partnership ("Urban Comm"), by its counsel, pursuant to Section 1.1206(a)(2) of the Commission's rules, hereby submits an original and one copy of this notice of permissible oral and written ex parte presentation concerning the above-referenced docket.

On Thursday, January 22, 1998, Sydney Small, Lois Wright and James Winston, representing Urban Comm, met with Commissioner Susan Ness and David Siddall, Legal Advisor to Commissioner Ness, and made a permissible oral ex parte presentation and provided the attached written presentation concerning the above referenced docket.

At the meeting, a presentation was made by Urban Comm consistent with Urban Comm's Petition for Reconsideration filed in the above-referenced proceeding.

Please contact undersigned counsel if you have any questions concerning this matter.

Sincerely,



James L. Winston

JLW/kn  
cc: Commissioner Susan Ness  
David Siddall, Esq.

No. of Copies rec'd 021  
List ABCDE

**URBAN COMMUNICATORS PCS LIMITED PARTNERSHIP**

**1333 New Hampshire Avenue, 10th Floor • Washington, D.C. 20036 • (202) 861-0870 • Fax (202) 429-0657**

**RECEIVED**

**JAN 27 1998**

**URBAN COMMUNICATORS PCS LIMITED PARTNERSHIP** FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**EX PARTE PRESENTATION CONCERNING**

**PETITION FOR RECONSIDERATION**

**PCS C-BLOCK INSTALLMENT PAYMENTS**

Urban Communicators PCS Limited Partnership ("Urban Comm") has filed a Petition for Reconsideration of the Commission's *Second Report and Order and Further Notice of Proposed Rule Making* (Amendment of the Commission's Rules Regarding Installment Payment Financing for Personal Communications Licensees), WT Docket No. 97-82, released October 16, 1997 (*Second Report and Order*).

Urban Comm is very close to completing its financing for its PCS licenses. However, the Commission's current timetable does not provide adequate time to complete the financing process. Urban Comm therefore requests that the Commission modify the *Second Report and Order* as follows:

1. Installment Payments

- a. Extend the installment payment deferral period to September 30, 1998.
- b. Alternatively, defer the next installment payment date until ninety days after the Commission acts upon the pending petitions for reconsideration, and provide C-block licensees the two ninety day installment payment grace periods adopted by the Commission in the *Third Report and Order*, released December 31, 1997.

2. Disaggregation

- a. Allow licensees which disaggregate their licenses down to 15 MHz to apply the excess down payment and excess interest payments (paid on the basis of 30 MHz licenses) to their next installment payments.
- b. Eliminate the requirement that disaggregation be applied on a MTA wide basis, at least as to C-block licensees which have all of their licenses in one MTA.

3. Rationale for proposed modification of the C-block installment payment options

- a. C-block licensees must obtain financing in three parts: vendor financing, equity financing and debt financing.
- b. During the period of the suspension of the Commission's C-block rules, from March 31, 1997 to September 25, 1997, none of the three elements of the financing community would hold substantive conversations with C-block licensees because of the uncertainty surrounding the Commission's payment rules.
- c. After the Commission adopted its C-block order on September 25, 1997, the financing community slowly began having substantive conversations again. However, in most instances those conversations had to go back to the beginning.
- d. We have made excellent progress toward completing our financing since September 25, 1997, but the process is time consuming. We recently signed an agreement for vendor financing, however, completion of equity and debt financing will still require several months.
- e. **Urban Comm has invested over \$17 million to reach the current point. A brief extension of time is all that is needed for us to be successful.**