DOCKET FILE COPY ORIGINAL

EX PARTE OR LATE FILED

ORIGINAL

WILKINSON, BARKER, KNAUER & QUINN, LLP

Washington, DC
Frankfurt, Germany

2300 N Street, NW
Washington, DC 20037-1128

telephone: 202.783.4141
facsimile: 202.783.5851

June 10, 1998

RECEIVED

JUN 1 0 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

Re: Amendment of Parts 21 and 74 To Enable Multipoint Distribution Service and Instructional Television Fixed Service Licensees To Engage In Fixed Two-Way Transmissions -- MM Docket No. 97-217 and RM-9060: NOTICE OF EX PARTE COMMUNICATION

Dear Ms. Salas:

On June 8, 1998, the undersigned met on behalf of the group of over 110 participants in the wireless cable industry that submitted the petition for rulemaking that commenced this proceeding (the "Petitioners") with Charles Dziedzic, David Roberts and Michael Jacobs of the Mass Media Bureau to discuss the Petitioners' concern that the Commission not unduly delay resolution of the issues raised by the *Notice of Proposed Rulemaking* ("*NPRM*") in this proceeding.

During the course of the meeting, the Petitioners emphasized that the proposals advanced in their recent *ex parte* submissions are logical outgrowths of the issues identified in the *NPRM* and that, in the Petitioners' view, the Commission is not required under the Administrative Procedures Act to provide interested parties a further opportunity to submit formal comment. The Petitioners further stressed that if the Commission is nonetheless disposed towards issuing a public notice affording an opportunity for the submission of additional comments, the comment period should be brief. The staff was reminded that any delay will prove harmful both to the wireless cable operators that are actively seeking the additional investment needed to compete with other two-way technologies that already have a head-start in the marketplace and to the educators that seek to rapidly deploy two-way high-speed Internet access services. The Petitioners expressed their view that the costs of delay, coupled with the fact that the Petitioners' proposals are already a matter of public record, mitigate against any lengthy comment period. It was suggested that if a public notice soliciting additional comment is issued, at most, a fifteen day comment period would be appropriate under these circumstances.

No. of Copies rec'd 0+4
List A B C D E

Please contact the undersigned should you have any questions regarding this *ex parte* presentation.

Respectfully submitted,

Paul J. Sinderbrand

Counsel to the Petitioners

cc: Charles Dziedzic
David Roberts
Michael Jacobs