

ORIGINAL
DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED
JUN 16 1998
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Biennial Regulatory Review -)
Amendment of Parts 0, 1, 13, 22,)
24, 26, 27, 80, 87, 90, 95, 97, and)
101 of the Commission's Rules to)
Facilitate the Development and Use)
of the Universal Licensing System)
in the Wireless Telecommunications)
Services.)

WT Docket No. 98-20

To: The Commission

Reply Comments of Ameritech Corporation

By: John A. Prendergast
Richard D. Rubino
Attorneys for Ameritech Corporation

Blooston, Mordkofsky, Jackson
and Dickens
2120 L Street, N.W., Suite 300
Washington, D.C. 20037
(202) 659-0830

Filed: June 16, 1998

No. of Copies rec'd 024
List A B C D E

TABLE OF CONTENTS

Summary	ii
I. Ameritech Supports Industry Requests for a More Reasonable Transition Period for Mandatory Electronic Filing.	1
A. The ULS Rules Should Provide an Exception for Technical Problems.	3
II. The Implementation of ULS should Not Increase the Filing Burdens on Wireless Carriers.	4
A. The Commission Should Clarify that a Frequency Change Within an Assigned Frequency Block is a Minor Modification.	4
B. The Commission Should Clarify that the Cellular Service is a Geographic Based Radio Service.	5
C. FAA Notification Should Not Cause a Modification to be Treated as Major.	5
D. Updating of Ownership Information	6
E. Construction Notification Requirements Should Not be Imposed on Licensees in the Private Radio Services.	7
III. The Reporting of Antenna Data Should Not be Eliminated.	8
IV. The Commission Should Not Eliminate License Reinstatement.	8
V. The 60-Day Response Period for Part 90 and 101 Application Returns Must be Maintained.	10
VI. The Implementation of ULS Should Not Adversely Affect Licensees' Rights.	11
VII. Electronic Filing of Requests for Special Temporary Authority, and Other Documents Should be Implemented on an Optional Basis.	11
VIII. Transactional Applications Should Be Expedited.	12
IX. ULS Should Allow Preview Copies of Electronic Filings	13
X. Official Notices Should Be Sent By Paper.	13
XI. Ameritech Supports the Conversion to NAD83.	14
XII. The Commission Should Not Impose a 30-Day Reporting Deadline for Permissive Modifications.	15
XIII. Ameritech Supports the Discontinuance of Paper Copies and Microfiche.	15
XIV. Conclusion	16

Summary

The Commission's overhaul of its wireless databases into a single system will allow the Commission to efficiently deploy personal resources for the foreseeable future. However, as a licensee in the various commercial and non-commercial wireless services, Ameritech is concerned that certain aspects of the Commission's Universal Licensing System (ULS) proposal will place undue burdens on the industry.

While Ameritech supports the implementation of electronic filing, the Commission should retain a paper filing option for the foreseeable future, until the electronic filing method is perfected and the Commission is able to recover any data which becomes corrupted or otherwise lost, without placing additional burdens on the industry. Additionally, technological advances continually occur in the computer industry. In this regard, Microsoft's Windows 98 is scheduled to be released to the public next week, and there is no guaranty of compatibility with ULS. Further, many computer systems are local area network (LAN) based, and as such, these work stations may not have the capability to communicate with ULS without the use of a dedicated phone line and modem. Because of these and other issues regarding hardware compatibility and recent circumstances experienced by the Commission in updating its Common Carrier Land Mobile Database, and involving the use of the Universal Licensing System (ULS) in the 800 MHz SMR and LMDS auctions, Ameritech urges the Commission to give careful consideration to the implementation of electronic filing without preserving a paper-filing option.

Ameritech supports electronic filing as an option for the filing of requests for special temporary authority. However, because it is not uncommon for STA requests to include documentary exhibits and attachments, specialized digital imaging equipment would be required to convert the paper document to a computer file. Such equipment is very expensive. Ameritech urges the Commission to continue accepting STA requests on paper

until those issues are resolved and the necessary equipment is available at reasonable cost to the public.

Preview copies of electronic filings are important for any applicant or licensee that utilizes telecommunications departments, engineering consultants, and/or outside counsel for the preparation of FCC filings. Since these filings are prepared on the basis of information provided to the preparer, it is vitally important that such filings be reviewed for accuracy by the applicant, and if in order, dated and signed. With the applicant's approval (as evidenced by the signature on the preview copy), the preparer could then insert the name of the individual who signed the preview copy of the filing, and file it electronically with the Commission. Without this capability for all types of electronic filings, there is no effective way for the preparer of a filing to ensure that the applicant has approved what is to be filed electronically.

The Commission should forward official correspondence by conventional mail or delivery service, in addition to electronic mail. While electronic mail can be very convenient, there is no certainty that the electronic mail message will be timely received and acted upon, especially if the intended recipient is out of the office on leave, travel, or otherwise not available. Additionally, Ameritech supports the proposed conversion of geographic coordinates from NAD27 to NAD83, and urges the Commission to retain its current information collection requirements for antenna data.

Ameritech is concerned that ULS will impose significant burdens on licensees and applicants, thereby resulting in either a delay or disruption of service to the public. In this regard, the Commission should clarify that (a) a frequency change within an assigned frequency block is a minor change, not requiring prior Commission approval; (b) that the Cellular Radiotelephone Service is a geographic service and that Form 601 applications are not required for internal cell sites; (c) FAA notification should not cause a modification of license to be treated as "major"; and (d) private radio licensees should not be required to

file construction notifications. Additionally, the Commission should not impose a 30-day deadline for the filing of permissive modifications, in that it is not always apparent at the time a permissive modification is made, that interference protection will be required.

Ameritech recommends that the Commission retain its service specific rules which distinguish the private radio services from the commercial mobile radio services. The private services have enjoyed streamlined application processing, including: 60-day return cycle for applications, license reinstatement and no ownership reporting requirements. These procedures should be continued as private radio licensees typically are not immersed in the FCC's rules and regulations.

Finally, the Commission should clarify that licensees which do not implement modifications continue to have a license to operate their underlying facilities, and that any subsequent "reverse" application which may be required is merely ministerial in nature, and will not result in the loss of primary licensing status or other rights that the licensee enjoyed prior to the grant of its proposed license modification.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Biennial Regulatory Review -)
Amendment of Parts 0, 1, 13, 22,)
24, 26, 27, 80, 87, 90, 95, 97, and)
101 of the Commission's Rules to)
Facilitate the Development and Use)
of the Universal Licensing System)
in the Wireless Telecommunications)
Services.)

WT Docket No. 98-20

To: The Commission

Reply Comments

Ameritech Corporation (Ameritech), by its attorneys and pursuant to Rule Section 1.415(c) of the Commission's Rules, hereby submits its reply comments in the above-captioned proceeding.

I. Ameritech Supports Industry Requests for a More Reasonable Transition Period for Mandatory Electronic Filing.

Ameritech supports the numerous commenters in the above captioned-proceeding who strongly urge the Commission to adopt a more reasonable deadline for mandatory electronic filing in the Universal Licensing System (ULS), since the proposed January 1, 1999 deadline is too ambitious. Ameritech also supports proposals to permit applications and other documents to be filed manually in circumstances where the filer either does not have the necessary resources to file electronically or cannot reasonably gain access to ULS for technical or other reasons. See e.g. Comments of AirTouch Communications, Inc. (AirTouch) at 3-4; Comments of Alarm Industry Communications Committee (AICC) at 2-4; Comments of ADT Security Services, Inc. (ADT) at 2-4; Comments of Bell Atlantic Mobile, Inc. (Bell Atlantic) at 6-8; Comments of Century Telephone Enterprises, Inc. (CenturyTel) at 2-4; Comments of Personal Communications Industry Association (PCIA) at 4-5; Comments of Radiofone at 1-3; Comments of SBC Communications, Inc. (SBC) at 6-

7; Comments of Small Business in Telecommunications (SBT) at 2; Comments of UTC, The Telecommunications Association (UTC) at 2-3; Comments of WinStar Communications, Inc. (WinStar) at 3-5. Ameritech believes that electronic filing through the ULS will ultimately be very beneficial to the industry and the public; however, mandatory electronic filing is premature, since the Commission has not yet resolved all of the technical and access issues regarding ULS (such as compatibility issues between different types of software and hardware, and access to all users). Time is also needed for FCC licensees to implement their ULS capability. This is true even for larger carriers, who must purchase or upgrade numerous computer work stations, replace software, and install modems and individual telephone lines in order to assure reliable access to ULS.

The Commission has currently designed ULS to be compatible with those computers utilizing Microsoft's Windows 3.1 and Windows 95. However, while certain parts of Ameritech are upgrading to Windows 95, Ameritech also has computers that use other widely-available operating systems (e.g., MS DOS, OS/2, Apple Macintosh, Windows NT). Ameritech is concerned that these operating systems will not be compatible with ULS. To further exacerbate the situation, a substantial number of the newer computers that are attached to Local Area Networks (LANs) now use Windows NT as the operating system, which while similar to Windows 95 in appearance, is significantly different in its programming and functionality.¹ As time goes by, additional operating systems will become available. In this regard, Ameritech understands that after June 25, 1998, most computer manufacturers will install Microsoft's Windows 98 on new computers. And, because of the release of Windows 98, Ameritech anticipates that the public will upgrade existing computers from Windows 3.1 and Windows 95 to Windows 98 because of the purported

¹ ULS is not currently designed to operated from LAN-based computers; and disconnecting a Windows NT computer from a network to run in a stand-alone mode will not resolve this problem, if Windows NT is not compatible with ULS and the Commission's PPP dial-in software.

improvements in the Windows 98 operating system. Because ULS may not be compatible with Windows 98 and other operating systems, a significant portion of the industry may not be able to make electronic filings without costly hardware and/or software changes.²

Accordingly, Ameritech urges the Commission to delay full implementation of ULS at least two years, and in any event until ULS is made compatible with the major computer operating systems. See Comments of Telecommunications Industry Association (TIA) at 6; Comments of Radiofone at 2-4; Comments of CenturyTel at 2-4; Comments of ADT at 2-4; Comments of AICC at 2-4. See also Comments of Bell Atlantic at 6-7.

The record in this proceeding indicates that ULS may not have been fully tested and proven reliable in real world conditions. The Commission also needs to determine that ULS data is secure from accidental erasure, computer system crashes, computer hacking, and other unauthorized access by the public or Commission employees. Until the Commission can assure that the data in ULS is secure, the Commission should encourage the use of ULS on a voluntary basis, and adopt a long-term beta-test with the understanding that significant future modification and upgrades may be required to ULS. In this regard, Ameritech urges the Commission to establish a procedure so that the public can rapidly notify the Commission of any errors in or modifications to the ULS database or in the operation of the software. In this way, both data and software bugs can be rapidly corrected, thereby minimizing the potential for negative perceptions of ULS.

A. The ULS Rules Should Provide an Exception for Technical Problems.

Several members of the industry have correctly raised a concern that applicants and licensees with compatible hardware and software may not be able to access ULS through no

² Ameritech is not aware that the Commission has designed any of its software to be compatible with Apple Computer products. While Apple Computer does not have a large market share, as compared to Microsoft based computers, there is still a significant loyal following in the business community. Because of this presence, Ameritech urges the Commission to make ULS compatible with Apple Computers (and any other widely accepted operating system). Doing so will further the Commission's goal of streamlining its licensing processes and making information universally available to the public.

fault of their own, due to e.g., a local computer failure, failure of ULS, loss of telephone and/or electric service, or other technical problems. These parties point out that access to the ULS is dependent upon numerous factors, and the failure of any one link in the chain could be catastrophic, especially if the filer is trying to meet the deadline for a long-form auction application, or a license renewal application. See Comments of Bell Atlantic at 6-7; Comments of PCIA at 4-5. To mitigate this danger, the Commission should allow applicants to file applications and other documents manually, in order to meet the deadline, upon a showing that the filing could not be electronically submitted in a timely fashion due to circumstances beyond the filer's control. To reduce any burden on the Commission, the filer invoking such an exception would be required to submit electronically as soon as the problem had been corrected.

II. The Implementation of ULS Should Not Increase the Filing Burdens on Wireless Carriers.

Ameritech concurs with the industry's concern that various proposals in ULS will increase the filing burdens of wireless carriers, especially in light of changes that were made in the recent rewrite of Part 22 of the Commission's Rules. See Comments of Bell Atlantic at 9; Comments of SBC at 9-10; Comments of AirTouch at 6-8; Comments of BellSouth at 11-14.

A. The Commission Should Clarify that a Frequency Change Within an Assigned Frequency Block is a Minor Modification.

The Commission has proposed to treat, as major, "any addition or change in frequency." Notice of Proposed Rulemaking at Para. 38. If read literally, this proposal is inconsistent with the geographic area licensing of frequency blocks, which the Commission is using in many of the multichannel radio services, including cellular, 800 MHz and 900 MHz SMR, narrowband PCS, and broadband PCS. As Ameritech understands geographic based licensing, the licensee is assigned a specific block of frequencies in its designated service area, which allocation is on an exclusive basis. Under this scheme, it is not clear

why a frequency change within an authorized frequency block would be a major action necessitating the filing of an application for prior approval. A prior approval requirement would unnecessarily hamstring a cellular carrier's ability to implement cell splits, or otherwise fine tune its system. Ameritech therefore requests that the Commission clarify that such frequency changes within authorized frequency blocks are minor, rather than major.³

B. The Commission Should Clarify that the Cellular Service is a Geographic Based Radio Service

Ameritech requests that the Commission clarify the status of the Cellular Radiotelephone Service as a geographic area based service rather than a site-specific based service. Although licensed before Congress authorized spectrum auctions, cellular carriers have been granted licenses on a "market area basis," such as a metropolitan statistical area (MSA) or a rural service area (RSA). Since cellular carriers should be classified as market area licensees, the Commission should clarify: (a) that it does not intend for cellular carriers to file Form 601 applications for the addition or modification of internal cell sites; and (b) that cellular carriers will not forfeit interference protection for such internal sites under Section 22.352(c)(6) of the Commission's Rules. Consistent with the recent rewrite of Part 22, such actions are permissive in nature, and an application filing requirement would place cellular carriers at an undue disadvantage vis-a-vis other broadband competitors.

C. FAA Notification Should Not Cause a Modification to Be Treated as Major.

Ameritech opposes the Commission's proposal to treat, as major, any modification or amendment involving an antenna structure of greater than 200 feet, or that would require the filing of a Form 7460-1 Notice of Proposed Construction or Alteration with the Federal Aviation Administration (FAA). Ameritech believes that such modifications should be

³ Ameritech agrees that a change in frequency would be a major modification for the licensee of a single frequency operation, such as a paging carrier.

classified as minor in nature since the Commission already has in place, an antenna structure registration procedure in which each antenna structure requiring notice to the FAA must also be registered by its owner with the Commission. By treating modification proposals involving antenna structures that are greater than 200 feet above ground level or otherwise requiring notice to the FAA as major, the Commission is significantly increasing the filing burden on cellular and other geographic licensees who are not licensed on a site specific basis. In the case of Ameritech, it would have to obtain prior approval for many of its internal cell sites, rather than just awaiting FAA approval and obtaining the necessary FCC antenna structure registration. This additional obstacle would place additional costs on the wireless licensees as well as delay service to the public. Any such delay in service is contrary to the public interest.

D. Updating of Ownership Information

Ameritech requests that the Commission clarify its proposed Rule Section 1.919(d)(2) would not require the filing of updated ownership information each time there is a change in the Company's officers and directors. As a multi-tiered, publicly traded corporation, Ameritech would come under a substantial burden since officers and directors frequently change, due to new appointments and internal restructurings not involving ownership changes. Ameritech believes that a current list of officers need only be provided annually, as it would still be required to certify the citizenship of its officers and directors in each application -- which is the controlling question for licensee qualifications under the Act.

The Commission should clarify that private wireless applicants will not be required to submit ownership information. Ameritech agrees with the comments of CenturyTel (at p. 12), that such a requirement would place undue burdens on most private radio licensees. Under the Commission's current procedures, ownership information is not collected, and under Section 310(b) of the Act, there is no basis for collecting this information, since a private radio licensee is not under the same foreign ownership restrictions as common

carriers. And, because the Wireless Telecommunications Bureau has recognized this difference in the past, it has designed its commonly used forms so that private radio licensees simply do not answer all questions (e.g., FCC Form 600 Main Form Item Nos. 30, 31, 32, and 33). ULS should be programmed to recognize a private radio filing, and then blank out the ownership reporting requirements beyond that necessary to establish compliance with the Act. Any further data collection places an undue burden on the private user licensees and applicants.

E. Construction Notification Requirements Should Not be Imposed on Licensees in the Private Radio Services

Ameritech supports the general industry opposition to the Commission's proposal that licensees in the private land mobile and microwave services file notifications of completion of construction. Under the Commission's proposal, a failure to timely file the completion notification, which would be due within 30 days of the expiration of the construction deadline, would result in a termination of their authorization. For the reasons set forth above (justifying retention of license reinstatement), this new requirement may result in the cancellation of an otherwise constructed and operating radio facility.

Most licensees in the private radio services, including telephone companies, are accustomed to the Commission's streamlined Part 90 licensing procedures, which have worked well over the years. The automatic termination of authorizations for failure to file a completion notification is not necessary, since non-commercial private radio spectrum below 470 MHz is shared, and there are rarely any co-channel interference issues. Moreover, the safety of employees and customers of companies that rely on radio could be jeopardized if operations are interrupted by an inadvertent failure to file a construction completion notification. In the private radio context, any benefit of requiring more information from the licensee is offset by the added burden and risk for the licensee, as well as the added burden on the Commission.

III. The Reporting of Antenna Data Should Not Be Eliminated

Ameritech supports CenturyTel's opposition to the Commission's proposal to eliminate the submission of antenna data for applicants in the Part 22 mobile services. The reason for this change appears to be the conclusion that this information will not be necessary for geographic area licensing. However, while elimination of unnecessary data collection is desirable, antenna system information (e.g., make and model) is necessary to calculate contours of existing and proposed systems in order to ensure interference free operation.

In this regard, Ameritech supports the elimination of the mapping requirements for cellular licensees, if the Commission continues to collect all information needed to recreate a cellular coverage map. These maps are very important for cellular carriers, in order to determine whether a proposed cell site will extend into an adjacent carrier's cellular geographic service area (CGSA), or into an unserved area. Without this information, cellular carriers such as Ameritech will not be able to file applications with complete information. And, because there may be uncertainty as to whether a proposed cell site encroaches on an adjacent market improperly, Ameritech anticipates significant litigation in this area. Retention of the antenna data requirement would serve the public interest by avoiding the use of scarce Commission resources to handle such protests.

IV. The Commission Should Not Eliminate License Reinstatement.

The general consensus of the industry is that the Commission should retain license reinstatement for the private radio services. See Comments of ADT at 8; Comments of AICC at 8-9; Comments of CenturyTel at 11; Comments of Paging Network (PageNet) at 2;⁴ Comments of PCIA at 9. Ameritech supports this view, as well as the suggestion of

⁴ In fact, PageNet proposes that before the Commission terminates a license authorization for non-renewal, it should verify with the licensee whether the station is in fact constructed and operating, and if so, whether the licensee desires to renew the license. Id. If the Commission adopts a reasonable reinstatement provision, this more burdensome approach may not be necessary.

American Mobile Telecommunications Association (AMTA) to extend license reinstatement to the common carrier wireless services. Comments of AMTA at 5-6.

Ameritech agrees that all licensees should be diligent in ensuring regulatory compliance with the FCC's rules and regulations; however, this is not always a simple task, especially for those licensees who obtain licenses as part of large scale acquisitions. Ameritech notes that situations arise in the business world, which, for whatever reason, prevent the licensee from filing its license renewal application in a timely manner. Without license reinstatement, many of these licenses will inadvertently lapse, thereby disrupting what may be vital radio communications. If the Commission utilizes an automatic termination procedure, additional staff resources will be necessary to process reauthorization applications and requests for special temporary authority to continue station operations. Moreover, the loss of operational authority due to an inadvertent failure to file the license renewal application could place business operations in jeopardy, especially for those licensees using radio to ensure the safety and welfare of their employees, or for efficient operation of equipment.⁵ Thus, for the foregoing reasons, the public interest would be served by maintaining the current license reinstatement program.

Ameritech further supports the adoption of a license reinstatement program for the commercial mobile and fixed microwave services. Such a program would facilitate the acceptance of a late-filed license renewal application, thereby preventing the inadvertent loss of necessary CMRS and fixed-microwave services to the public. Ameritech believes that this is vitally important for licensees to be able to retain those frequencies on which an

⁵ CellNet Data Systems, Inc. (CellNet) supports the Commission's proposal to eliminate the license reinstatement period. Comments of CellNet at 3-4. CellNet believes that all licensees must be 100 percent vigilant in meeting their license obligations. While in an ideal world, CellNet's opinion is admirable, this is not an ideal world. The automatic termination of a license for the non-filing of a license renewal application could lead to the draconian result of a loss of vital communications services, especially where the spectrum is no longer available for application.

application filing freeze has been imposed, or grandfathered frequencies which are otherwise assigned on a secondary basis. See Comments of AMTA at 5-6.

V. The 60-Day Response Period for Part 90 and 101 Application Returns Must be Maintained.

The industry overwhelmingly opposes the Commission's proposal to reduce, from 60 days to 30 days, the time period within which to refile returned applications. See e.g. Comments of PCIA at 9; Comments of ADT at 9; Comments of AICC at 9; Comments of CenturyTel at 11-12. PCIA (one of the major frequency coordinators) and several private radio licensees demonstrated that reducing the application return period from 60 to 30 days would be impracticable. Comments of AICC at 9; Comments of CenturyTel at 11-12; Comments of ADT at 9; Comments of PCIA at 9. Many application returns involve data corrections (e.g., geographic coordinates, antenna height, ground elevation, etc.) which require recoordination through the Commission's designated frequency coordinators before the application can be refiled with the FCC.⁶ Additionally, for discrepancies in antenna structure data, it may be necessary to file a request for aeronautical clearance with the FAA, in order to verify or correct the antenna structure information. It is not generally possible to research the site data, prepare the necessary documents for filing with the FAA, recoordinate the application,⁷ and refile the amended application to the Commission prior to

⁶ In this regard, the Commission has not stated precisely how ULS will be integrated with the filing procedures used by the Commission's numerous frequency coordinators. Presently, Part 90 applicants forward either paper or electronic applications to the frequency coordinator, who then process the proposal and forward a hard-copy of the application, as coordinated, to the Commission. Because ULS is connected to the Commission's secured network, and is TIN/password driven, the Commission should establish specific procedures, subject to notice and comment rulemaking, to facilitate the filing of applications through the frequency coordinators without compromising the applicant's confidential TIN and password. Public comment on this issue is necessary in order to ensure that the rights of all interested parties are protected.

⁷ In recent months, the speed of service offered by the frequency coordinators has deteriorated, taking as long as 60 days, if not longer in certain circumstances. There is no guarantee that application resubmissions will be given priority, in order to meet the Commission's proposed 30-day return window.

the expiration of the 30-day period. Because the reduction of the application return period by 30 days will likely result in the unnecessary dismissal of numerous applications, Ameritech urges the Commission to maintain the 60-day return policy currently in effect.

VI. The Implementation of ULS Should Not Adversely Affect Licensees' Rights.

Ameritech, through its subsidiaries, holds licenses in the Common Carrier Fixed Point-to-Point Microwave Service (CCPPMS). Ameritech agrees with CenturyTel that the Commission should not require the filing of an application for modification of license, to restore a microwave authorization to the status quo ante upon a licensee's determination that authorized modifications will not be implemented. This procedure could result in the loss of valuable licensing rights. Implicit in the filing of a license modification application (with a new frequency coordination) is that the applicant may lose its grandfathered "co-primary" status, even though the licensed operation has not changed in any respect.

Ameritech agrees that this outcome would be contrary to the public interest and inconsistent with Section 312 of the Communications Act of 1934, as amended. See Comments of CenturyTel at 12-14. Because of these considerations, Ameritech urges the Commission to clarify that (i) microwave licensees that do not implement authorized modifications continue to have a license to operate their originally authorized facilities; and (ii) any subsequent application that may be required is merely ministerial in nature, and will not result in the loss of primary licensing status or other rights that the licensee enjoyed prior to the grant of its proposed modification.

VII. Electronic Filing Of Requests for Special Temporary Authority, and Other Documents Should Be Implemented On An Optional Basis

Much of the industry supports an option for interested parties to electronically file pleadings associated with applications, requests for special temporary authority (STA), and other documents, as an alternative to manual paper filings. See e.g., Comments of CenturyTel at 4-5; Comments of Radiofone at 4; Comments of ADT at 4-5. Ameritech likewise supports this option, but shares the concern of certain parties that STA requests,

especially those with attachments (e.g., letters, agreements, forms, affidavits, etc.) are not conducive to electronic filing. In order to convert attachments and other documents into legible digital copies, it will be necessary for the filer to have access to digital-imaging hardware, which may not be readily available.

Further, because STA requests generally arise in emergency situations, it may be quicker to develop the necessary information and prepare the STA request in letter form. The Commission has often accepted such urgent STA requests via telecopier, by later sending an invoice for the filing fee to the applicant. This arrangement has resulted in expeditious action on many STA requests, thereby preventing a loss of necessary communications service to the public. If STA requests must be filed electronically, there is no certainty that the request can be prepared and filed as rapidly, and most importantly, that it can be directed to the proper staff member for timely action. Until these issues are resolved and the equipment is readily available to the public at reasonable cost, Ameritech urges the Commission to accept STA requests on paper, in accordance with its current rules.

VIII. Transactional Applications Should Be Expedited.

Ameritech supports the use of ULS for the filing and processing of license assignment and transfer of control applications. Like other carriers, Ameritech urges the Commission to take affirmative steps to ensure that transactional applications are processed separately from facilities applications, and that ULS is able to distinguish between transactional applications and facilities applications. See Comments of Radiofone at 4; Comments of ADT at 2; Comments of CenturyTel at 5. Establishing a "fast track" will permit such transactions to be promptly listed on public notice as accepted for filing (where required) and processed to grant without delay. This is important because transactions must generally be consummated in a timely manner based on the financing, board approvals, shareholder votes, and other considerations.

IX. ULS Should Allow Preview Copies Of Electronic Filings

As currently configured, ULS does not appear to permit the production of preview copies until after an application has been submitted. As other carriers have noted, this is unacceptable since many wireless licensees like Ameritech utilize telecommunications departments, engineering consultants and/or outside counsel to prepare filings with the FCC based upon information provided by the filer. See Comments of Radiofone at 4-5; Comments of CenturyTel at 5; Comments of ADT at 5. So that such filings can be approved before the filing is made, it is important that the preparer be able to obtain a preview copy of the filing before making the actual filing itself.⁸ In this way, the accuracy of the proposed filing can then be reviewed by the appropriate persons. With the appropriate approvals (as evidenced by a signature on the preview copy), the application preparer will know that the signature block could then be completed and the application filed electronically with the Commission. Without such an option, it will be more difficult for the application preparer to verify that the applicant has approved what is to be filed electronically. The Commission may benefit from such documentation as well, if a dispute arises over the authenticity of an application.

X. Official Notices Should Be Sent By Paper.

Ameritech agrees with the industry consensus that the Commission should continue to use paper documents, in addition to electronic mail, as the means for official correspondence between the FCC and its licensees and applicants. While E-Mail can be convenient and efficient for certain purposes, an E-Mail message may not be delivered due to incompatibilities with the FCC's internet service provider and its computer system.

⁸ In this regard, ULS should permit the applicant to save its work for future submission in a mode which cannot be retrieved by the Commission's staff or the public. This is necessary since many application filings, whether facilities based or transactional, involve proprietary business plans which should not be made public until the date the filing is to be made. Alternatively, ULS could be designed to permit the printing of a draft copy of a proposed application, but keep no record of the transaction. Instead, the filer would download the data to its computer work station for future submission to the Commission.

Ameritech has experienced circumstances where it appeared that an E-Mail had been delivered, only to discover that the intended recipient did not receive the E-Mail message; and even if a message is successfully delivered, there is no certainty that the recipient will be aware of the message when he or she logs onto the computer, unless the intended recipient affirmatively goes out to the internet to retrieve any messages. To further exacerbate any risk, if the intended recipient is not available (e.g., due to vacation, sickness, travel, or otherwise), no other individual would be aware of the existence of the E-Mail message, since most internet/E-Mail accounts are password-protected. Additionally, if the employee responsible for FCC filings is transferred to another position or otherwise terminates his or her relationship with the Company, licensing rights may be adversely affected or lost because the replacement employee may not realize that the FCC is communicating via E-mail. Large companies such as Ameritech are constantly promoting employees into new positions, or reorganizing personnel for business considerations. For these reasons, Ameritech strongly urges the Commission to continue the practice of using the United States Postal Service or other reliable delivery service for official correspondence. Telecopier and E-mail would be acceptable as a backup.

XI. Ameritech Supports the Conversion to NAD83.

Ameritech agrees with the general industry support for the proposed conversion of geographic coordinates from NAD27 to NAD83, since the Federal Aviation Administration is already using NAD83 for antenna clearance purposes. In order to assure a smooth transition, all coordinates in the Commission's license database should be converted to NAD83 in the same manner that the Commission converted all distance measurements in its land mobile licensing records from feet to meters. So that the public will be aware of the conversion, the Commission should indicate on the face of the authorization that all coordinates are specified in NAD83. This would help ensure that the data in the Commission's license database and tower database is accurate, especially since licensees and

applicants will no longer be required to make filings regarding the same facility using multiple sets of coordinate data. To further ease the transition, antenna structure registrations should be issued showing both the NAD27 and NAD83 geographic coordinates. In this way, those with NAD27 records will be able to easily verify the accuracy of their information and properly convert to NAD83 in future filings.

XII. The Commission Should Not Impose a 30-Day Reporting Deadline for Permissive Modifications.

The Commission has proposed to require licensees desiring interference protection for permissive modifications to report such modifications within 30 days of implementation. Currently, licensees are not required to notify the Commission of such modifications, unless they desire interference protection. The Commission's proposed 30-day deadline is unnecessary, since licensees are not permitted to increase their composite interference contour through a permissive modification. Rather, if a licensee desires specific protection for a particular facility, it should be allowed to make the appropriate filing, at its convenience. A fill-in transmitter or other modification to the interior of the system may not require interference protection, until a subsequent loss of antenna sites makes this interior site part of the composite interference contour. By imposing a 30-day filing requirement, the Commission is creating a situation that could result in the loss of interference protection to an otherwise legitimate radio facility that is providing a necessary service to the public. Such a result would be contrary to the public interest. Instead, the Commission should recognize that its licensees are not prejudiced, and Commission resources are not taxed, by the filing of a permissive modification notice more than 30 days after the fact.

XIII. Ameritech Supports the Discontinuance of Paper Copies and Microfiche.

The Commission has proposed to discontinue the need for extra paper and microfiche copies of filings made through the ULS. Ameritech believes that elimination of the microfiche filing requirement will eliminate an unnecessary burden on applicants and the

public. Ameritech believes that no filings, whether electronic or on paper, should be subject to microfiche copying. For paper filings, the Commission now has the means to either scan the document into its system or to up load the data from a diskette.

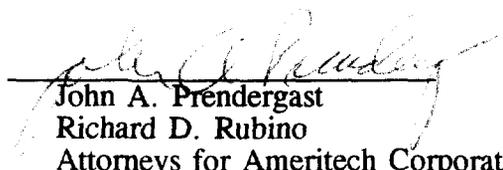
XIV. Conclusion

In light of the foregoing, it is respectfully requested that the Commission reevaluate ULS in order to ensure that licensees and applicants are not prejudiced by the system.

Respectfully submitted,

AMERITECH CORPORATION

By


John A. Prendergast
Richard D. Rubino
Attorneys for Ameritech Corporation

Blooston, Mordkofsky, Jackson
and Dickens
2120 L Street, N.W., Suite 300
Washington, D.C. 20037
(202) 659-0830

Filed: June 16, 1998

CERTIFICATE OF SERVICE

I, Timothy Akers, an employee of the Law Offices of Blooston, Mordkofsky, Jackson & Dickens, certify that a copy of the foregoing Reply Comments was mailed this 16th day of June 1998, by United States first class mail, postage prepaid, to the following:

John F. Raposa
GTE Service Corporation
600 Hidden Ridge, HQE03J27
P.O. Box 152092
Irving, TX 75015-2092

Andre J. Lachance
GTE Service Corporation
1850 "M" Street, N.W.
Washington, D.C. 20036

Robert H. Schwaninger, Jr.
Brown and Schwaninger
1835 "K" Street, N.W.
Suite 650
Washington, D.C. 20006

Thomas J. Keller
Lisa M. Higginbotham
Verner, Liipert, Bernhard,
McPherson & Hand, Chartered
901 15th Street, N.W.
Suite 700
Washington, D.C. 20554

R. Michael Senkowski
Karen Kincaid
Eric DeSilva
Wiley, Rein & Fielding
1776 "K" Street, N.W.
Washington, D.C. 20006

Douglas I. Brandon, Esq.
AT&T Wireless Services, Inc.
1150 Connecticut Avenue, N.W.
4th Floor
Washington, D.C. 20036

Christopher R. Hardy
Comsearch
2002 Edmund Halley Drive
Reston, Virginia 20191

Corwin D. Moore, Jr.
Administrative Coordinator
Personal Radio Steering Group, Inc.
P.O. Box 2851
Ann Arbor, Michigan 48106

Gregory J. Forrest, P.E. (KAF1291) - Author
901 Springfield Drive
Walnut Creek, CA 94598

Dennis C. Brown, Esq.
Brown & Schwaninger
1835 "K" Street, N.W.
Suite 650
Washington, D.C. 20006

Jay L. Birnbaum
David H. Pawlik
Jennifer P. Brovey
Skadden, Arps, Slate, Meagher & Flom, LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005

Lawrence E. Harris
David S. Turetsky
Terri Natoli
Teligent, Inc.
8065 Leesburg Pike
Suite 400
Vienna, VA 22182

Carl W. Northrop
E. Ashton Johnson
Paul, Hastings, Janofksy & Walker, LLP
1299 Pennsylvania Avenue, N.W.
10th Floor
Washington, D.C. 20004-2400

Kevin J. Parrish
GMRS Licensee
P.O. Box 22216
San Francisco, CA 94122-0216

Caressa D. Bennet
Michael R. Bennet
Bennet & Bennet, PLLC
1019 19th Street, N.W.
Suite 500
Washington, D.C. 20036

Alan R. Shark, President
American Mobile Telecommunications Association, Inc.
1150 18th Street, N.W., Suite 250
Washington, D.C. 20036

Elizabeth R. Sachs, Esq.
Lukas, Nace, Gutierrez & Sachs
1111 19th Street, N.W., Suite 1200
Washington, D.C. 20036

Robert M. Gurss
Wilkes, Artis, Hedrick & Lane, Chartered
1666 "K" Street, N.W., Suite 1100
Washington, D.C. 20006

George Petrutsas
Mitchell Lazarus
Fletcher, Heald & Hildreth, PLC
1300 North 17th Street
11th Floor
Rosslyn, Virginia 22209

Chester R. Jones, Chairman
AASHTO
Special Committee on Communications
444 North Capitol Street, N.W., Suite 249
Washington, D.C. 20001

Denis Couillard, Chairman
Eric Schimmel, Vice President of TIA
2500 Wilson Boulevard, Suite 300
Arlington, Virginia 22201

Mark Golden, Vice President
Regulatory Affairs
Personal Communications Industry Association
500 Montgomery Street, Suite 700
Alexandria, Virginia 22314

Alan S. Tilles, Esq.
David E. Weisman, Esq.
Meyer, Fallner, Weisman & Rosenberg, P.C.
4400 Jenifer Street, N.W., Suite 380
Washington, D.C. 20015

Kathleen A. Kaercher, Esq.
Brown and Schwaninger
1835 "K" Street, N.W., Suite 650
Washington, D.C. 20006

Judith St. Ledger-Roty
Paul G. Madison
Kelly, Drye & Warren, LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036

Ben H. Lyon
Vice President and General Counsel
Cellnet Data Systems, Inc.
125 Shoreway Road
San Carlos, CA 94070

Philip L. Verveer, Esq.
Michael F. Finn, Esq.
Sophie J. Keefer, Esq.
Willkie, Farr & Gallagher
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20036-3384

Timothy R. Graham
Joseph M. Sandri, Jr.
Barry J. Ohlson
Winstar Communications, Inc.
1146 19th Street, N.W., Suite 200
Washington, D.C. 20036