

ORIGINAL

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EX PARTE OR LATE FILED

July 17, 1998

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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 July 15, 1998, Gerald Stevens-Kittner of CAI Wireless Systems, Inc., George Harter, III of Hardin & Associates, Inc. and the undersigned met with Keith Larson of the Mass Media Bureau 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") to discuss fundamental errors in the July 2, 1998 documentation submitted by the Catholic Television Network ("CTN").

Specifically, it was pointed out that CTN has mistakenly assumed that interference calculations performed under the methodology being advocated by the Petitioners assume a uniform distribution of response stations. In fact, the methodology does exactly the opposite – it assumes that every one of the response stations that are proposed to operate simultaneously be located at the grid point that is most likely to result in interference. Thus, the methodology requires the assumption of an extreme "worst case." It also was noted that CTN has apparently misunderstood the role of the "analysis line" called for in the methodology and has mistakenly concluded that because the analysis line is located one-half mile outside of the response service area, ITFS receive sites within the analysis line are somehow in jeopardy.

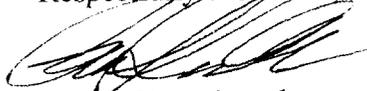
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Magalie Roman Salas
July 17, 1998
Page 2

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

Respectfully submitted,



Paul J. Sinderbrand

Counsel to the Petitioners

Attachment

cc: Keith Larson