

ORIGINAL

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

In the Matters of)
)
NORCOM COMMUNICATIONS)
CORPORATION)
)
 Business Radio Station License WNQF836)
 SMR Radio Stations WZA770, WNBW505,)
 WNAJ380, WNRU218 and WNJU965)
 New York, New York/Long Island Area)
)
 Application to Modify Business)
 Radio Station License WNQF836)
 New York, New York/Long Island Area)
)
 Application to Modify SMR)
 Radio Station License WZA770)
 New York, New York/Long Island Area)
)
 Application to Modify SMR)
 Radio Station License WNBW505)
 New York, New York/Long Island Area)
)
ASSOCIATION FOR EAST END)
LAND MOBILE COVERAGE)
 Business Radio Station License WPAT918)
 New York, New York/Long Island Area)
)
LMR 900 ASSOCIATION OF SUFFOLK)
 Business Radio Station License WNXT323)
 New York, New York/Long Island Area)
)
METRO NY LMR ASSOCIATION)
 Business Radio Station License WPAZ643)
 New York, New York Area)
)
NY LMR ASSOCIATION)
 Business Radio Station License WPAP734)
 New York, New York/Long Island Area)
)
WIRELESS COMMUNICATIONS)
ASSOCIATION OF SUFFOLK COUNTY)
 Business Radio Station License WPAT910)
 New York, New York/Long Island Area)

WTB DOCKET NO. 98-181

File Number A008053

File Number C002479

File Number C002480

RECEIVED
 JAN 21 1999
 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

To: Administrative Law Judge John M. Frysiaik

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WIRELESS TELECOMMUNICATIONS BUREAU'S COMMENTS
REGARDING FILINGS BY ASSOCIATIONS

The Chief, Wireless Telecommunications Bureau ("Bureau"), by his attorneys, hereby comments on: (1) the "Withdrawal of Appearance and Waiver of Hearing" filed by the Wireless Communications Association of Suffolk County ("Suffolk") and the Metro NY LMR Association ("Metro") and (2) the letters, dated January 8, 1999 and January 11, 1999, both from Suffolk and both addressed to the Secretary of the Federal Communications Commission ("FCC"), and states as follows:

I. Background

1. On January 8, 1999 Suffolk and Metro filed a joint Withdrawal Of Appearance and Waiver of Hearing with the Office of the Secretary of the FCC in which each withdrew its Notice of Appearance and waived its right to a hearing.

2. In a letter dated January 8, 1999, which was addressed to the Secretary of the FCC, Suffolk tendered its license for Station WPAT910 for cancellation, effective March 31, 1999. It is unclear whether the delay in cancellation is a request or a condition to the tender of the license. Metro did not surrender its license for Station WPAZ643 for cancellation, but the Bureau has been advised by its counsel that it intends to do so.

3. In a letter dated January 11, 1999, also addressed to the FCC's Secretary, Suffolk asserts that it surrendered its license for Station WPAT910 for cancellation and that it withdrew its appearance from the proceeding in WTB Docket No. 98-181 and, consequently, it requests termination of the proceedings against it.

4. The January 8th and the January 11th letters were not formatted or filed as pleadings and were not directed to the Presiding Judge.

II. Comments

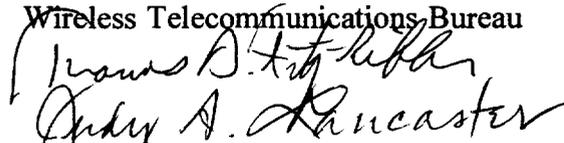
5. The Bureau does not oppose cancellation by the Presiding Judge of Suffolk's license, effective March 31, 1999 or, should it be similarly submitted, the cancellation of Metro's license, also effective March 31, 1999. However, since Suffolk and Metro choose to retain the privileges of being Commission licensees until March 31, 1999, they should also be obligated to accept the corresponding responsibilities, including the obligation to comply as parties with the discovery process in this proceeding, until March 31, 1999. Therefore, until their licenses are cancelled, both Suffolk and Metro should remain parties in this case.

Respectfully Submitted,

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Chief, Wireless Telecommunications Bureau



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Chief, Compliance and Litigation Branch
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January 21, 1999

Certificate of Service

I, Arlene Cook, certify that, on January 21, 1999, a copy of the foregoing WIRELESS TELECOMMUNICATIONS BUREAU'S COMMENTS REGARDING FILINGS BY ASSOCIATIONS filed on behalf of the Chief, Wireless Telecommunications Bureau, was sent by facsimile and first class mail to:

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