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May 3, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

GENERAL COUNSEL

Elizabeth R. Sachs, Esq.
Lukas, McGowan, Nace & Gutierrez

via Hand Delivery

Magalie R. Salas, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Room TW-B-204
Washington, D.C. 20554

Re: Notice of oral *ex parte* presentation
Assessment and Collection of Regulatory Fees (MD
Docket No. 98-200)

Dear Ms. Salas:

On April 30, 1999, the American Mobile Telecommunications Association, Inc. (AMTA, the Association) engaged in a telephone conversation concerning the above-referenced proceeding with Mr. Terry Johnson of the Office of Managing Director. The purpose of the conversation was to discuss AMTA's recently filed Reply Comments on the *Notice of Proposed Rulemaking* in this docket.

AMTA's Reply Comments request that small SMR and similar systems, which generally include extremely low numbers of interconnected units, be included in the CMRS Messaging category rather than the Mobile Services category. The Reply Comments included the results of a member survey, requested by the FCC, asking about total numbers of units on small SMR systems classified as CMRS. The survey also inquired into the number of interconnected units, voice-only and non-voice-only and mixed use units.

During the telephone conversation, AMTA indicated that it is uncertain of the exact number of small CMRS SMR and similar systems and the total number of mobile units they serve. Many SMR systems have eliminated interconnected service and modified their licenses to PMRS status to avoid the additional regulatory burdens imposed on CMRS carriers. However, the Association believes that the approximately 90,000 units included in the survey represent a significant percentage of the total. AMTA further emphasized that the imposition of large CMRS Mobile Services regulatory fees on every mobile in a minimally interconnected system has been the primary issue for the Association in its comments and Petitions for Reconsideration in the annual regulatory fees proceeding.

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Magalie R. Salas, Secretary
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Pursuant to Section 1.1206 of the Commission's Rules and Regulations, 47 C.F.R. § 1.1206, the original and one copy of this Notice have been submitted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jill M. Lyon", with a long horizontal flourish extending to the right.

Jill M. Lyon
Vice President for Regulatory Relations

cc: Mr. Terry D. Johnson