

September 17, 1992

VIA FEDERAL EXPRESS

Mr. Terry L. Fishel
Chief, Land Mobile Branch
Federal Communications Commission
1270 Fairfield Road
Gettysburg, PA 17226

Re: Applications of

- (a) Metro New York Assoc.
File No. 571588
Stamford, Connecticut
- (b) The Association for East End
Land Mobile Coverage
File No. 532866
Sag Harbor, New York
- (c) Wireless Association of Suffolk County
File No. 534390
Manorville, New York
- (d) Central Suffolk Association of
Land Mobile Users
File No. 532865
Riverhead, New York
- (e) New York LMR Association
File No. 566318
Plainview, New York
- (f) Land Mobile Associate of Long Island
File No. 534391
Manorville, New York

Dear Mr. Fishel:

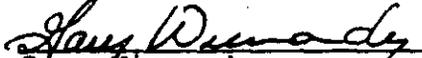
We the undersigned are each a principal in one of the above-referenced applications. We are represented by the same counsel. Counsel, at our request, is engaged in negotiations with the staff of the Commission's Private Radio Bureau looking towards reaching a settlement which might result in the grant of all or

Mr. Terry L. Fishel
Page 2

some of the above-referenced applications and towards resolving the concerns of the Commission's staff.

For the purpose of facilitating a settlement and for that purpose only, the undersigned would agree not to file any applications for additional systems in any of the markets involved in the above-referenced applications, through any non-profit association which they may control or in which they may have any direct or indirect interest, before the system or systems to be authorized as a result of the settlement to serve the relevant market has achieved a loading of at least seventy (70) mobile or ~~20~~ control units per channel. Each of the undersigned certifies that he is authorized to bind the association.

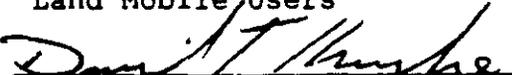
Respectfully submitted,

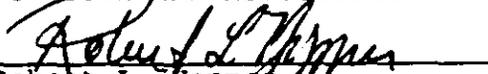

Gary Wicmandy
Metro New York Association


Timothy J. Mangan
The Association for East End
Land Mobile Coverage

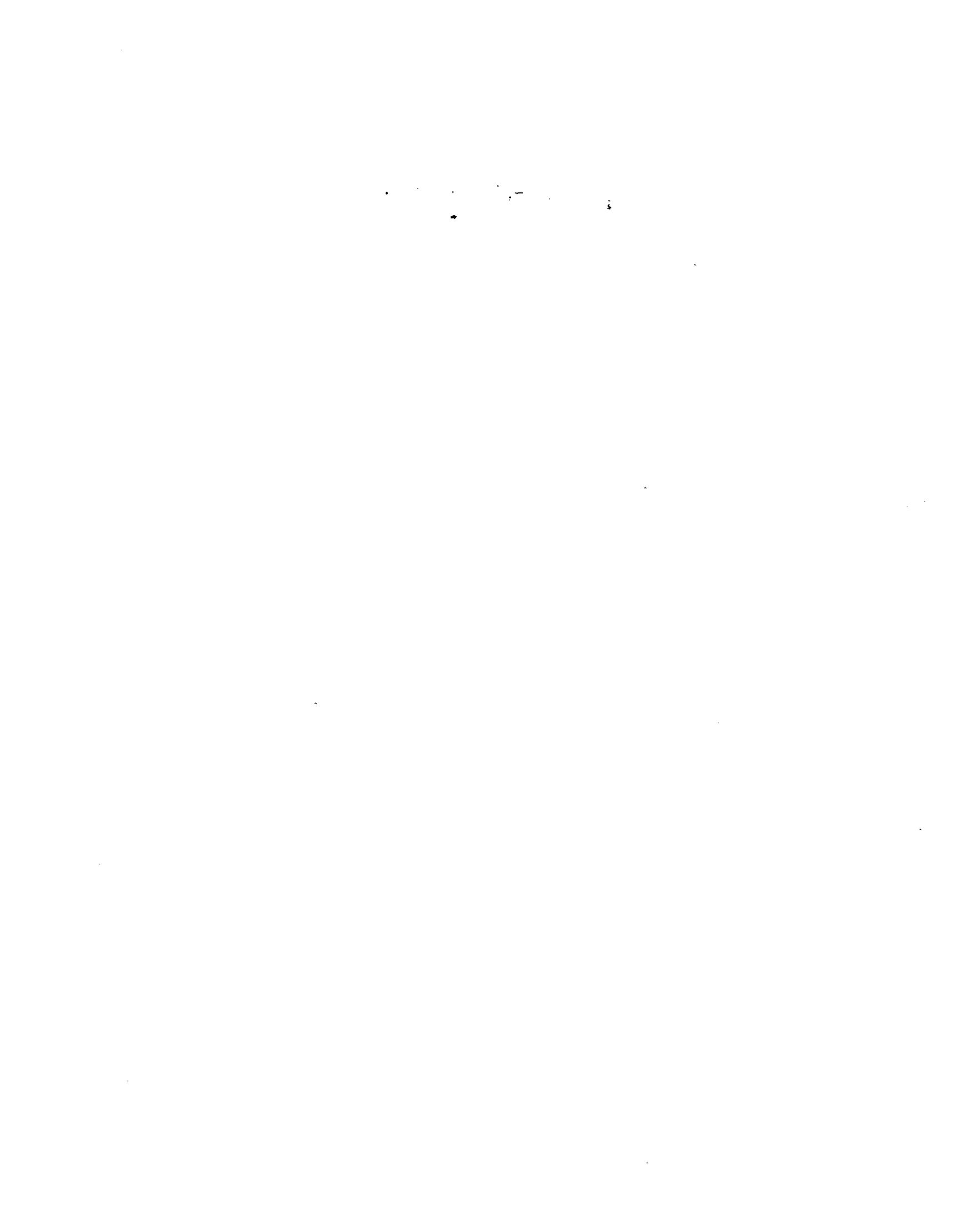

Chris J. Allen
Wireless Association of Suffolk
County


Augustine Medina
Central Suffolk Association of
Land Mobile Users


Daniel T. Kunnecke
New York LMR Association


Robert L. Nopper
Land Mobile Association of Long
Island and for Norcom Communications
Corporation

cc: Carol F. Foelak, Esquire
Peter Daronco, Esquire
bc: Mr. Robert Nopper



Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7249
OCT 28 1992

In Reply Refer To:
7110-16

George Petrutsas
Fletcher, Heald & Hildreth
1228 Connecticut Ave., NW, Suite 400
Washington, DC 20036

Dear Mr. Petrutsas:

This concerns the six applications filed by non-profit associations to operate trunked radio systems. The applicants are Metro New York Association, file number 571588; The Association for East End Land Mobile Coverage, file number 532866; Wireless Communications Association of Suffolk County, file number 534390; Central Suffolk Association of Land Mobile Users, file number 532865; New York LMR Association, file number 566318; and Land Mobile Radio Association of Long Island, file number 534391. Four of these applications were dismissed for failure to satisfy the provisions of Rule 90.631(a), while two remain pending. Petitions for reconsideration have been filed for the four applications which were dismissed.

The applicants have submitted for review by the Land Mobile Branch an agreement which was negotiated with the Compliance Branch. The agreement indicates:

- 1) Two of the applications, file numbers 532865 and 534391 will be withdrawn.
- 2) The four remaining applications would be granted with a loading requirement of 70 units per channel at the end of the first three years of the license term.
- 3) All the applicants involved, including those which withdrew their applications, agree not to file any applications or seek additional frequencies either directly or indirectly until the present channels are loaded to 70 units per channel.
- 4) Each entity receiving an authorization would not assign the authorization either directly or indirectly to any other entity during the first license term.
- 5) All remaining applicants would assure the Commission that service would only be provided to eligible parties and only on a non-profit cost shared basis.

George Petruzzas

In light of Compliance Branch's support for this agreement, the Land Mobile Branch will grant the applications bearing file numbers 571588, 532866, 534390, and 566318 for a three year term to allow it to assess loading at the end of that period as agreed in item 2 above. Applications bearing file numbers 532868 and 534391, which were previously dismissed, will not be reinstated and no further petitions will be filed. The petitions on file are granted to the extent described in this agreement and otherwise denied. Further, it is understood that acceptance of this agreement does not modify Rule 90.631(a) which requires that trunked systems be assigned based on a loading requirement of 100 units per channel.

Sincerely,



for Terry L. Fishel
Chief, Land Mobile Branch

cc: Peter Daronco

Attachment 3

Declaration of George Petrutsas

DECLARATION OF GEORGE PETRUTSAS

My name is George Petrutsas. I am a lawyer by profession and have been in private practice, specializing in wireless telecommunications law, since 1980. Prior thereto, for a period of approximately twenty years, I was employed by the Federal Communications Commission (FCC) in various legal and managerial capacities.

I am making this Declaration for the purpose of facilitating a resolution of the issues in WTB Docket No. 98-181. Therefore, the statements made herein may be used solely for that purpose, and no other.

For some time prior to 1991, I provided legal assistance to Norcom Communications Corporation ("Norcom"). Sometime in 1991, or shortly prior to 1991, Mr. Robert Nopper, a principal of Norcom, asked me on his behalf and on behalf of several other individuals for advice on how to establish multi-channel trunked wireless communication systems on frequencies allocated in the Business and/or the Industrial/Land Transportation Pools in the 800 and 900 MHz bands. After reviewing the relevant rules and regulations of the FCC, I informed them that such systems could be licensed to non-profit associations organized for the purpose of providing wireless communications service to eligible entities on a non-profit basis, and recommended that course of action. The FCC's rules provide for the licensing of such non-profit associations. I had previously assisted another non-profit association in applying for and securing a similar license from the FCC. Mr. Nopper and the others involved accepted my recommendations.

As a result, several non-profit associations were formed. Since the FCC's rules do not prescribe any requirements for the organization, structure, and governance of such entities, on my recommendation, a very simple organizational structure was adopted. See, for example, Attachment 5. For the management of the planned facilities, it was decided to employ an entity experienced in the operation of wireless communications facilities under a management agreement. Norcom, an experienced operator of land mobile wireless facilities, was employed by each of the associations involved as its manager. Such arrangements were common at the time for the management of SMR and private radio systems and had been sanctioned by the FCC. Each association entered into a management agreement with Norcom. I supplied most of the text of those management agreements. See, for example, Attachment 16. The management agreements that were entered into were consistent with the management agreements used in the SMR and private radio industry at that time.

Applications for licenses were filed by seven associations in 1991. The applications filed by Central Suffolk Associations of Land Mobile Users and by the Land Mobile Association of Long Island were later withdrawn to resolve staff concerns regarding the number of frequencies requested by the associations. The nature of the

Commission in the applications and in the ensuing amendments to the applications and in the responses to Commission inquiries regarding the applications. See, for example, Attachments 4, 7 and 8.

I represented each of the associations and helped them prepare their applications, including securing coordination for the frequencies requested, and I filed the applications on their behalf. As counsel, I discussed the applications with the Commission's staff by telephone and in several letters. See, for example, Attachments 3, 9, and 11. After the nature of the applicants, the proposed plan of operation, and the system management role of Norcom Communications were described to the Commission in response to staff inquiries, see Attachments 2, 3, 4, 7, and 8, the staff raised no further issues with respect thereto. The staff's concerns and subsequent correspondence and telephone discussions with the staff had to do with the number of frequencies each association had requested. See Attachment 10. That issue was discussed extensively and it was resolved by an agreement under which two applications were withdrawn and the remaining applicants were required to load the frequencies in a period shorter than that prescribed by the Commission's Rules. See, Attachments 12, 13 and 14.

Most of the telephone discussions were with Mr. Peter Daronco, an attorney in the then Private Radio Bureau. During those discussions, Mr. Daronco indicated to me that he kept his colleagues and superiors informed of the discussions. As a result of those discussions and related correspondence, agreement on the number of frequencies to be granted was reached. That agreement is summarized in my letter to Mr. Terry L. Fishel, Chief, Land Mobile Branch, dated September 24, 1992, a copy of which is attached as Attachment 12. Shortly thereafter, by letter dated October 28, 1992, Mr. Fishel outlined the agreed conditions under which four of the applications would be granted. See Attachment 15. The fifth application was granted some time later under approximately the same terms.

Until the Commission released its designation order in this proceeding, I believed that the standards the then Private Radio Bureau had set out in its Motorola decision in 1988 governed third party management of the radio systems licensed to the associations, and that the existing arrangements between each of the associations and Norcom met those standards. Consequently, I did not suggest any changes to the management arrangements between the associations and Norcom.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my recollection and belief. I further declare under penalty of perjury that the documents attached hereto as Attachments 1 through 16 are true and correct copies of documents I sent or received.


George Petrutsas

June 21, 1999

Attachment 1

Application of the Association for East End
Land Mobile Coverage, File No. 532866,
filed with FCC on February 20, 1991, and
Attachment A to that Application

PERMILLON FEB 20 1992

See reverse side for information regarding public burden estimate

APPLICATION FOR PRIVATE MOBILE RADIO SERVICES

IMPORTANT NOTICE: ALL applicants MUST include the following information in their applications at the PROPER LOCATION. Refer to the current fee publication or contact the Consumer Assistance Branch, Federal Communications Commission, Gettysburg, PA 17326 (717) 337-1212.

COMMISSIONER ONLY: **532866** Page No. of

| 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. | 11. | 12. |
|-------------------|---------------|--------------|---------------------|--------------|--------|--------|------------------|------------------|------------------|-------------------|--|
| Frequencies (MHz) | Station Class | No. of Units | Emission Designator | Output Power | E.R.P. | A.A.T. | Ground Elevation | Ant. Hgt. To Tip | Antenna Latitude | Antenna Longitude | Number of Mobiles By Category: |
| A 856.9125 | FB2 | 1 | 20F3 | 75 | 190 | 302 | 291 | 45 | 40-58-26 | 72-20-15 | Vehicle 500 |
| A 857.9125 | FB2 | 1 | 20F3 | 75 | 190 | 302 | 291 | 45 | 40-58-26 | 72-20-15 | Portable |
| A 858.8125 | FB2 | 1 | 20F3 | 75 | 190 | 302 | 291 | 45 | 40-58-26 | 72-20-15 | Aircraft |
| A 859.8625 | FB2 | 1 | 20F3 | 75 | 190 | 302 | 291 | 45 | 40-58-26 | 72-20-15 | Marine |
| A 860.7875 | FB2 | 1 | 20F3 | 75 | 190 | 302 | 291 | 45 | 40-58-26 | 72-20-15 | Pagers |
| G 811.9125 | FX1 | 29 | 20F3 | 30 | 82 | | | | | | 13. Area of Operation for Mobiles, Temporary, or Itinerant Stations is 30 miles radius of station A. or is _____ miles radius of coordinates Lat _____ Long _____ County _____ State _____ If not, please check ONE. <input checked="" type="checkbox"/> Countywide <input type="checkbox"/> Statewide <input type="checkbox"/> Nationwide <input type="checkbox"/> Other |
| G 812.9125 | FX1 | 29 | 20F3 | 30 | 82 | | | | | | |
| G 813.8125 | FX1 | 29 | 20F3 | 30 | 82 | | | | | | |
| G 814.8625 | FX1 | 29 | 20F3 | 30 | 82 | | | | | | |
| G 815.7875 | FX1 | 29 | 20F3 | 30 | 82 | | | | | | |
| H 811.9125 | MO | 500 | 20F3 | 30 | 45 | | | | | | |
| H 812.9125 | MO | 500 | 20F3 | 30 | 45 | | | | | | |
| H 813.8125 | MO | 500 | 20F3 | 30 | 45 | | | | | | |
| H 814.8625 | MO | 500 | 20F3 | 30 | 45 | | | | | | |
| H 815.7875 | MO | 500 | 20F3 | 30 | 45 | | | | | | |

14. Station Address or Geographic Location: **Ferrara Tower**
 15. City: **Sag Harbor**
 16. County: **Suffolk**
 17. St.: **NY**
 Countywide
 Statewide
 Nationwide
 Other

18. Location of Primary Control Point (Include telephone number) and location of all Radio Control Stations with antenna under 20 ft. GMRs ONLY: List small control station locations and "FBA" followed by small base locations with antennas under 20 ft. (See instructions.)
70-C Corbin Avenue No #22
Bay Shore, New York 11706 11-16-92
516-595-2555 11-16-95 144
S/C Grants pursuant to agreement will meet of 11-26-92 and comply with the 20 ft. rule. There will meet a loading requirement of 70 mobiles per channel at the end of 3 years.

19. Freq. Advisory Com. No. **910420162**
 20. Radio Service: **YB**

21. Applicant/Licensee Name (See Instructions):
The Association for East End Land Mobile Coverage

22. Mailing Address (Number & Street, P.O. Box or R. No.):
ATTN: Timothy J. Mangan
ADDRESS: 70-C Corbin Ave.

23. City: **Bay Shore**
 24. State: **NY**
 25. ZIP Code: **11706**

26. Will antenna be mounted on a structure with an existing antenna? If yes, give call sign and radio and radio service of existing licensee.

27. Provide description of the structure on which your antenna is mounted and the height above ground to the top of the structure. (See antenna figures 1-3 on reverse for samples.)

28. Give the name of the nearest aircraft landing area, and the distance and direction to the nearest runway.

| No | Yes | Call Sign | Radio Service | Structure Type | Structure Height Above Ground | Aircraft Landing Area Name | Distance (Miles) | Direction |
|----|-----|-----------|---------------|----------------|-------------------------------|----------------------------|------------------|-----------|
| A | X | WNP502 | YX | Tower | 45 | | | |
| B | | | | | | | | |
| C | | | | | | | | |
| D | | | | | | | | |
| E | | | | | | | | |
| F | | | | | | | | |

29. Has notice of construction or alteration been filed with the FAA? If yes, give the date filed, the name under which filed, and the FAA office where filed.

| No | Yes | Date Filed | Name Under Which Filed | FAA Office Where Filed |
|----|-----|------------|------------------------|------------------------|
| A | | | | |
| B | | | | |
| C | | | | |
| D | | | | |
| E | | | | |
| F | | | | |

30. Applicant Classification
 Association Corporation Individual Partnership Govt. Entity

31. Eligibility (Describe Activity):
Applicant is a non-profit association proposing to provide radio service to eligible entities in the business radio service on a non-profit basis.

32. Application is for (check one):
 Modification Assignment New Station Reinstatement Renewal

33. Does application include the complete system?
 Yes No

34. Supplemental Information for Trunked and Conventional Systems 806-824/851-869 MHz and 896-901/935-940 MHz frequency bands
 Indicate Type of Applicant:
 a) Independent b) Commercial (SRS)

35. Would a commission grant of your application be an action which may have a significant environmental effect as defined by Section 1.107 of the Commission's Rules? If you answer yes, submit the statement as required by Sections 1.106 and 1.1211.
 Yes No

See ATTACHMENT A
 90.63(b)
 90.603(b)

36. If other than new station, list call sign(s) of existing station(s) to be modified, combined or reinstated.

37. Individual completing this application form(s):

George Petrutsus
Telephone No. (202) 828-5700

FOR COORDINATOR USE ONLY:

~~RECEIVED~~
2-18-91
CCW

NABER
CERTIFIED
6-4-91
DMD

c) Community Repeater (Owner) _____
d) SMRS user (Show SMRS license name and call sign and allocate one. de loading)

Type of system: (Check One)

a) Conventional. Specify the number of mobile units to be placed in operation at the time of grant: _____

b) Trunked. Specify the number of trunked channels requested: 5 channels

Frequency Band Requested: (Check One) a) 851-869 MHz b) 935-940 MHz

CERTIFICATION, READ CAREFULLY BEFORE SIGNING

1) Applicant certifies that a current copy of the requested radio service's rules will be obtained. Contact Washington, DC 20402 (202) 783-3234.
2) Applicant will have unlimited access to the particular frequency regardless of prior use by licensee or otherwise.
3) Applicant will have unlimited access to the equipment and will control access to exclude unauthorized persons.
4) Neither applicant nor any member thereof is a foreign government or representative thereof.
5) Applicant certifies that all statements made in this application and attachments are true, complete, correct and made in good faith.
6) Applicant certifies that the signature is that of the individual, or partner, or officer and duly authorized employee of a corporation, or officer who is a member of an unincorporated association, or appropriate elected or appointed official on behalf of a governmental entity.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT. U.S. CODE TITLE 18, SECTION 1001

Typed/Printed Name: TIMOTHY J. YANGAN

Telephone No. 516 595-2555

Signature: "MUST BE ORIGINAL" [Signature]

Date: 2-4-91

ATTACHMENT

The applicant claims eligibility for a trunked system under Sections 90.61(b) and 90.603(b) of the Commission's Rules. Attached is a list of entities who have already requested radio service. The applicant certifies, pursuant to Section 90.631(b), that a minimum of 70 mobiles and controls per channel (at least 280 units) will be placed in operation within five (5) years of the grant.

ATTACHMENT A

List of prospective shared users
of the trunk system proposed by
The Association for East End Land Mobile Coverage

| | |
|--|------------|
| Colonial Mechanical 278 Indian Head Road Kings Park, NY 11754 Attn: Ken Mullen (516) 544-4500 | 14 Mobiles |
| Long Island Oil Inc. P.O. Box 147 Massapequa Park, NY Attn: Frank Sheridan (516) 799-3111 | 10 mobiles |
| Sun Set Sanitation 82 Modular Avenue Commack, NY 11725 Attn: Frank Palopoli (516) 543-1890 | 9 mobiles |
| Set To Fit 65 Howard Avenue Stamford CT 06902 Attn: Bill Mackesy (203) 325-8800 | 11 mobiles |
| Asphalt Pavers Inc. 500 Patton Avenue West Babylon, NY 11704 Attn: Herb Payne (516) 420-1040 | 14 Mobiles |
| AFCO Precast Corp. 250 Orchard Road E. Patchogue, NY 11772 Attn: Richard Affenita (516) 654-3370 | 11 mobiles |
| Adam Russell Cable Service 116 North Main Street Port Chester, NY 10573 Attn: Jeff cordoso (914) 937-8689 | 11 mobiles |
| All American Pools 8-10 Van Tassel Court Norwalk, CT 06851 Attn: John Romano (203) 847-2704 | 13 mobiles |
| Maniac Leasing Corp. 191 Cabot Street W. Babylon, NY 11704 Attn: John White | 19 mobiles |
| Airborne Freight Corp. 1915 Stradford Ave. Standford, CT 06497 Attn: Martin Longley (206) 281-4828 | 42 mobiles |

Attachment 2

Application Return Notice for the
Private Land Mobile Radio Service,
dated April 10, 1991, File Ref. 532866-YB,
addressed to Fletcher, Heald & Hildreth and
referring to The Association for East End
Land Mobile Coverage

Application Return Notice for the
Private Land Mobile Radio Service

Fletcher, Heald & Hildreth
Suite 400, 1225 Connecticut Ave., N.W.
Washington, D.C. 20036-2679

Date April 10, 1991

File No. 532866-YB

RE: The Association for East End
Land Mobile Coverage

DKB

INSTRUCTIONS: Your application for station authorization is returned for the reason(s) checked below. Complete or correct your application, re-sign and date your application in the space provided on the reverse side. Return this and all enclosures to the above address. See "NOTICE TO APPLICANT" on the reverse of this form.

- Your eligibility is unclear. Please provide a more detailed description of your activities and how radio will be used in connection with them.
- If you are requesting authority to acquire a station presently licensed to another person or entity, you should check "Assignment of Authorization" in item 32. Complete the application giving all information pertaining to the new licensee (including eligibility showing) and include a completed FCC Form 1046, Assignment of Authorization, or a similar declaration signed by the present licensee, with your application.
- Please advise if the Control you show in item 18 is a Control Station or Control Point. For Control Stations, complete Items 1 through 11 (except 7), 14 through 17, and 26 through 29. If the Control Station complies with the 20 ft. criterion as defined in Rule Section 90.119(a)(2)(ii), complete only Items 1 through 5. Evidence of frequency coordination is required for stations not meeting the 20 ft. rule.

XXXXXX You MUST resubmit this application through your frequency coordinator if you are requesting the licensing of a new station, modifying an existing licensed station, or if you are making ANY CHANGE to information in Items 1 through 25 which has previously been coordinated. See Rule Sections 90.135 and 90.175. FAILURE TO DO SO COULD RESULT IN DISMISSAL OF YOUR APPLICATION AND FORFEITURE OF ANY FEE(S) PAID. Failure to re-submit your application in a timely manner as explained on the reverse of this form will also result in loss of any previously paid fee(s).

Your application is being returned because it did not include frequency coordination as required by Rule Section 90.175. It is recommended that you contact the frequency coordinator in advance to determine if payment of a coordination fee is necessary. Such fees are separate and distinct from any fee charged by the Commission. Please include this Return Notice with your submission to the frequency coordinator to indicate that any necessary Commission fees have been paid. Failure to resubmit your application in a timely manner as explained on the reverse of this form will result in loss of any previously paid fee(s).

Item(s) _____ should be completed or corrected.

XXXXXX **OTHER:** Please submit a photocopy of your Articles of Association and a copy of the agreement among participants.

On the Attachment A, list of prospective shared users, you only show a total of 154 mobiles and no controls whereas you show 350 mobiles and 29 controls on your application. You must either amend your application to show the correct number of mobiles and controls or provide a list of all participants with addresses and phone numbers and a number of mobiles commensurate with the number of participants listed.

Your system does not meet the loading requirements as required by Rule 90.631(a). An anticipated loading of 379 units does not justify 5 channels. Rule 90.631(a) requires an anticipated loading of 100 units per channel.

Please clarify if there is any party of interest between Central Suffolk Association of Land Mobile Users and The Association for East End Land Mobile Coverage.

Attachment 3

Letter dated May 24, 1991
from George Petrutsas, Counsel for
The Association for East End Land
Mobile Coverage to the Federal Communications
Commission referring to the application
file No. 532866

5729

May 24, 1991

Federal Communications Commission
Licensing Division
Land Mobile Branch
Gettysburgh, PA 17326

Re: The Association for East
End Land Mobile Coverage
File No. 532866

Dear Sir/Madam:

On behalf of The Association for East End Land Mobile Coverage, I am re-submitting its application along with the information requested in the Commission's return notice dated April 10, 1991.

Addressing the question raised concerning the number of mobile units, the Association has amended the application to request authorization for 500 units. In its amendment, the applicant also certifies that it will serve at least 70 mobiles per channel during the term of the license. Section 90.631(b), which governs the question, merely requires that the applicant

"...shall certify that a minimum of 70 mobiles for each channel authorized will be placed in operation within five years of the limited grant."

The applicant has so certified. Attachment A to the initial application contained the list of entities who have already arranged to receive service from the applicant. As others also make arrangements, the coordinator will be notified, but it is respectfully submitted that Section 90.631(b) does not require enough pre-authorization commitments to fill all of the channels requested.

Section 90.631(b) applies to authorization and loading of all trunked systems. Certainly, SMR applicants do not have to show in their initial applications that they have already signed up users with 500 mobiles in order to qualify for a 5-channel

Licensing Division
Land Mobile Branch
May 24, 1991
Page Two

trunked system. There is no reason to treat non-profit associations differently. Different treatment would be discriminating and, therefore, unlawful. Therefore, the applicant's certification that it will fill the channels during the term of its license qualifies it for the assignment of the channels requested.

The applicant has also submitted a copy of its Articles. Please be advised that under the laws of the State of New York, these articles do not have to be filed with the State, and they have not been filed. Nevertheless, the articles are valid and of full force and effect.

A copy of the standard sharing agreement is also submitted. All sharing agreements will have the same basic provisions. The difference would involve facts particularly relevant to the sharing entity involved.

It should be noted that non-profit entities are one of the three major eligible categories listed in Section 90.603 of the Commission's Rules. Non-profit associations are not only eligible but a good, cost-effective method for bringing to the business public the benefits of trunked land mobile communications.

In short, grant of this application would be in accordance with the Commission's Rules, and it would be eminently in the public interest.

Please communicate with us if you need further information.

Very truly yours,

George Petrutsas
Counsel for The Association for
East End Land Mobile Coverage

GP/cm

Attachment 4

Amendment: The Association
for East End Land Mobile Coverage
File No. 532866-YB, dated 5-23-91,
signed by Timothy J. Mangan

AMENDMENT

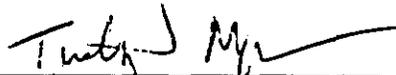
The Association for East End
Land Mobile Coverage
File No. 532866-YB

The above-referenced application is amended as follows:

1. Item 3 line H and Item 12 are changed to read 500.
2. Copy of the Article of Association is attached.
3. Copy of the standard sharing agreement is attached.
4. Applicant certifies that a minimum of 70 mobiles per channel will be placed in operation within five (5) years of the grant of this application.
5. There is no relationship between this Association and the Central Suffolk Association of Land Mobile Users, Wireless Communications Association of Suffolk County, or Land Mobile Radio Association of Long Island. Each is an independent association. The control point and mailing address is that of Norcom Communications Corporation. It is anticipated that Norcom will provide facilities for and will operate the control point of this association as a contractor. Norcom also helped organize this association.

The Association for East
End Land Mobile Coverage

Date: 5-23-91

By: 
Timothy J. Mangan

Attachment 5

Articles of Association of
the Association for East End
Land Mobile Coverage, dated 10/2/90,
signed by Timothy J. Mangan

ARTICLES OF ASSOCIATION

OF

THE ASSOCIATION FOR EAST END LAND MOBILE COVERAGE

We, the undersigned natural persons of the age of eighteen years or more, acting as founders of an Association, adopt the following Articles of Association for such association pursuant to the laws in the State of New York.

First: The name of the association is

THE ASSOCIATION FOR EAST END LAND MOBILE COVERAGE

Second: The period of duration is perpetual.

Third: The purpose or purposes for which the association is organized are to promote the interests of land mobile radio communications users and to furnish radio communication services on a nonprofit, cost-sharing basis to persons and entities eligible for land mobile radio licenses under the rules and regulations of the Federal Communications Commission.

Fourth: The manner in which the directors and officers of the association shall be elected or appointed shall be provided in the bylaws.

Fifth: Provisions for the regulation of the internal affairs of the association, including provisions for the distribution of assets on dissolution or final liquidation, are as follows:

The association shall be strictly a nonprofit, non-stock organization. No part of its net earnings shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the association shall be authorized to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. Notwithstanding any other provision of these articles, the corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States internal revenue law). Upon the dissolution of the association, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities and obligations of the association, dispose of the assets of the association in accordance with the provisions of the association bylaws.

Sixth: The address, including street and number, of the association's initial office is 70-C Corbin Avenue, Bay Shore, New York 11706.

Seventh: The number of directors constituting the initial Board of Directors is three (3), and the names and addresses, including street and number, of the persons who are to serve as the initial directors until the first annual meeting or until their successors are elected and qualified are:

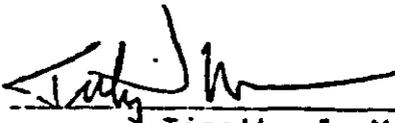
William Larkin
3 Patrician
Holbrook, NY 11741

Harry Rosenberg
40-B Corbin Ave.
Bay Shore, NY 11706

Timothy J. Mangan
77 Suffolk Street
Freeport, NY 11520

Eighth: The name and address, including street and number, of each founder of the association are:

Timothy J. Mangan
77 Suffolk Street
Freeport, New York 11520



Timothy J. Mangan

Dated: _____

10/2/90

cla/DF#2/Articles

Attachment 6

Radio Station Sharing Agreement
(Blank)

RADIO STATION SHARING AGREEMENT

The LAND MOBILE ASSOCIATION OF LONG ISLAND ("Association"), licensee of Station _____ ("Station"), hereby undertakes to provide radio communications service to

name

address

(_____) - _____ ("Subscriber") under the following terms
telephone number

and conditions:

1. Radio Communications service will be provided only to persons and entities who are eligible to use the frequencies assigned to Station _____. Subscriber warrants that it is engaged in _____

(business activity) and that the radio will be used in connection with that activity.

2. Subscriber will operate _____ mobile units and _____ control stations. It is the responsibility of Subscriber to obtain its own mobile and control station equipment.

3. Subscriber shall operate the radio facility (including mobile units and control points or stations) under the FCC license of the Association and in accordance with the instructions and general supervision and control of the Association.

4. Service is to be rendered on a cooperative, non-profit basis, with the costs of the operation to be prorated and shared equitably by all users of the Station. Subscriber agrees