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ROYAL PARK TOWNHOUSES ASSOCIATION

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3519 Crooks Road
Royal Oak, Michigan 48073

Date: August 4, 1999

To: Magalie Roman Salas, Secretary
Office of the Secretary
Federal Communications Commission
445 Twelfth Street SW TW-A325
Washington DC 20554

From: Laura Regep, Treasurer
Royal Park Townhouses Association
3519 Crooks Road
Royal Oak MI 48073

WT DOCKET No. 99-217
CC DOCKET No. 96-98 ✓

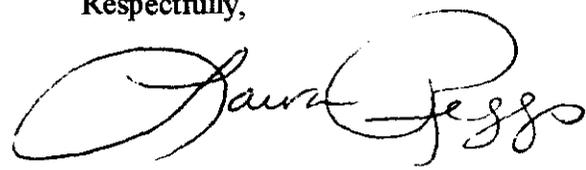
Re: **OPPOSITION TO THE FCC "FORCED ENTRY PRIVILEGE" RULE**

It is our position that the "forced entry privilege" rule should NOT be allowed to happen.

We are concerned with the legal and constitutional ramifications of forced entry and the practical problems such a policy would create. We also must protect the role that community association residents play in selecting providers. There is also great consideration regarding the anti-competitive nature of forced entry and the resulting growth of the competitive marketplace.

Attached is our official filing of our Comments and Reply Comments. Your concern in this matter is greatly appreciated.

Respectfully,



Laura Regep, Treasurer
Royal Park Townhouses Association

FCC80499.DOC

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Re: **OPPOSITION TO THE FCC "FORCED ENTRY PRIVILEGE" RULE**

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Promotion of Competitive Networks in Local Telecommunications Markets)	WT Docket No. 99-217
)	
Wireless Communications Association International, Inc. Petition for Rulemaking to Amend Section 1.4000 of the Commission's Rules to Preempt Restrictions on Subscriber Premises Reception or Transmission Antennas Designed to Provide Fixed Wireless Services.)	
)	
Cellular Telecommunications Industry Association Petition for Rule Making and Amendment of the Commission's Rules to Preempt State and Local Imposition of Discriminatory And/Or Excessive Taxes and Assessments)	
)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996.)	CC Docket No. 96-98

Continued...

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Continued...

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To: Magalie Roman Salas, Secretary
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DESCRIPTION OF ASSOCIATION

Royal Park Townhouses Association
3519 Crooks Road, Royal Oak, Mi. 48073

President: Eileen Brandies
Vice President: Marilyn Janik
Treasurer: Laura Regep
Secretary: Patricia Dwyer

Filing Contact: Laura Regep, Treasurer

Association Type: Townhouse Style Condominium

Number of Units: 42

THE STATE OF COMPETITION IN THE ASSOCIATION'S MARKET

There is only one provider of Cable Television: TCI of Oakland County.

There is only one provider of local telephone service: Ameritech.

At this time there are no other competitors in this area.

TELECOMMUNICATIONS PROVIDER'S PRACTICES

When TCI of Oakland County first offered their services, they received permission from the association.

Each individual homeowner contracts separately for service from TCI of Oakland County.

TCI of Oakland County owns and maintains the wires for the service and the wires run through the basements of each of the units and the rest is underground. There is no damage reported to the Association's property.

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THE EFFECT OF COMPETITION WITHIN COMMUNITY OF ASSOCIATION

There has been no competition in the area. At one time, Ameritech was gearing up to offer cable services to our area, thus, offering a choice of cable companies. However, TCI purchased the cable division of Ameritech.

THE IMPACT OF EXCLUSIVE CONTRACTS

The Association does not have any exclusive contracts with any provider. Each individual homeowner contracts with TCI of Oakland County. There are no other cable options. We see no advantage of an exclusive contract. We would prefer competition.

THE POTENTIAL IMPACT OF FORCED ENTRY REGULATIONS

The association does not wish to incur any additional costs regarding any forced entry situations: maintenance, security issues, safety concerns, space requirements or storm damage.

THE IMPACT OF THE OTARD RULE

There are only a couple antenna installations remaining on the roof from many years ago.

There have been no resulting problems.

Only concern would be the installation of unsightly ground antennas that affect the aesthetic

view of other homeowners.

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COMMUNITY ASSOCIATION TELECOMMUNICATIONS QUESTIONNAIRE

1. How many telecommunications providers currently serve the association: **ONE.**
2. What types of telecommunications services are available to residents:
 - * Traditional local telephone.
 - * Traditional television.
 - * Cable television.
 - * Wireless cable television.
 - * Wired internet service.
3. Any telecommunications services that are available to residents from more than one provider? **NONE.**
4. How many and what type of telecommunications providers have requested access to association property to offer services to residents in the past two years?
NONE.
5. Has a provider ever entered association property in order to install equipment without the Association's permission? **NO.**
6. Has a provider ever refused to deliver service to the association? **NO.**
7. Has the association ever refused to permit a provider access to association property to install wiring or equipment? **NO.**
8. Does the Association have a contract with the provider serving the property?
NO. Each individual homeowner contracts separately for service.
9. Does the association currently have an exclusive contract for services from one provider? **NO.**
10. Does the association receive any compensation from providers using association property to provide services to residents? **NO.**

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COMMUNITY ASSOCIATION TELECOMMUNICATIONS QUESTIONNAIRE

Continued

11. How much association space is available for the installation of wiring and equipment? Basement rafters of individual units.
12. What wiring and equipment has been installed in the association?
Wiring is in the walls (telephone and utilities) and basement rafters (cable.)
13. Which utilities or telecommunications providers have rights-of-way, etc.?
 - * Detroit Edison - Electricity.
 - * Consumers Energy - Gas.
 - * Ameritech - Local Telephone Service.
 - * TCI of Oakland County - Cable television.
14. OTHER ITEMS:
 - * All utilities and cables are owned by the individual suppliers.
 - * There has been no interruptions resulting from installations.
 - * No provider has damaged any Association property.
 - * All contractual obligations have been met.
 - * There have been no conflicts.