

MISSOURI APARTMENT ASSOCIATION

DOCKET FILE COPY ORIGINAL



Executive Office: P.O. Box 480187, Kansas City, MO 64148 • Home Office: 2111 Dalton Drive, Jefferson City, MO 65109
1-888-859-5192 • FAX (816) 941-3296 • Email bobwise@gvi.net

August 6, 1999

Ms. Magalie Roman Salas
Federal Communications Commission
445 12th St., S.W., TW-A325
Washington, D.C. 20554

Re: Promotion of Competitive Networks in Local Telecommunications Markets,
WT Docket No. 99-217; Local Competition, Telecommunications Act of 1996, CC Docket No. 96-
98

Dear Ms. Salas:

I am writing in response to the FCC's notice of proposed rulemaking released on July 7, 1999 regarding forced access to buildings. Our Association represents owners of real property throughout the state of Missouri.

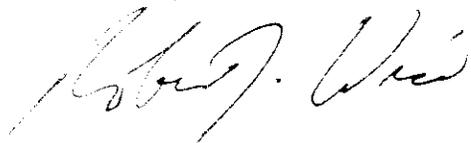
We do not believe that the actions contemplated by the FCC are necessary or desirable. We further believe that the market will provide necessary incentives for property owners to keep their properties up-to-date and to not jeopardize their rent revenue. It is essential that the property owner maintain control over his own property. For numerous legal reasons, the owner must have the right to control who enters a building. There are issues of premises liability, damage to the building itself, injuries to tenants and guests, and facilities of vendors and service providers. The owner is also liable for any safety, health, or fire code violations.

It is one thing to say that no *person* should be discriminated against, but there are good reasons to discriminate between *companies*. Every contract is different and each company has a different reputation and way of doing business. It is one thing for a property owner to grant an easement to a local government, it is quite another thing for that easement to be used by a private company.

We further believe that the present rules regarding demarcation points should not be changed because they presently offer appropriate flexibility. Exclusive contracts benefit the tenants and give competitors a chance to establish their business in the area. We're further opposed to the existing rules because we do not believe Congress intended to interfere with an owner's ability to manage his property. The FCC should take no further action on these issues.

No. of Copies rec'd _____
List ABCDE _____

Yours truly

A handwritten signature in cursive script, appearing to read "Robert J. Wise".

Robert J. Wise
Executive Vice President

