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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 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)	
)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996)	CC Docket No. 96-98
)	
Review of Sections 68.104, and 68.213 of the Commission's Rules Concerning Connection of Simple Inside Wiring to the Telephone Network)	CC Docket No. <u>88-57</u>

COMMENTS OF THE RURAL CELLULAR ASSOCIATION

The Rural Cellular Association ("RCA"),¹ by counsel, hereby responds to the Commission's invitation to comment on the current state of the market for local and advanced telecommunications services in multiple tenant environments ("MTEs").²

As wireless telecommunications providers, RCA members generally do not experience

¹ RCA is an association representing the interests of small and rural wireless licensees providing commercial services to subscribers throughout the nation. Its member companies provide service in more than 135 rural and small metropolitan markets where approximately 14.6 million people reside. RCA was formed in 1993 to address the distinctive issues facing rural wireless service providers.

² *Public Notice*, DA 01-2751 (rel. Nov. 30, 2001).

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limitations in access to customers in MTEs. RCA nevertheless supports, as a matter of sound public policy, nondiscriminatory access to customers, regardless of the technology utilized by the service provider. Accordingly, RCA supports the FCC in its efforts to ensure that telecommunications providers have nondiscriminatory access to MTEs and encourages the FCC to continue to take required targeted actions to ensure that property owners do not unreasonably deny competing service providers access to their premises.

Through the Telecommunications Act of 1996 (the “Act”), Congress sought to “provide for a pro-competitive, de-regulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition.”³ In advancement of these pro-competitive goals, the Commission has adopted rules to remove obstacles to competitive access to customers in MTEs.⁴ As recognized by the Commission, these rules may not be sufficient “to secure a full measure of choice” for businesses and individuals located in MTEs and further action may be necessary.⁵

³ S. Conf. Rep. No. 104-230, 104th Cong., 2d Sess. at 1 (1996).

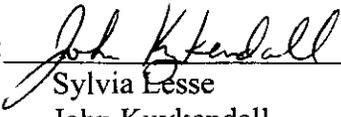
⁴ *Promotion of Competitive Networks in Local Telecommunications Markets: First Report and Order in WT Docket No. 99-217, Fifth Report and Order and Memorandum Opinion and Order in CC Docket No. 96-98, and Fourth Report and Order and Memorandum Opinion and Order in CC Docket No. 88-57*, 15 FCC Rcd 22,983 (2000) (“Competitive Networks Order and Further Notice”).

⁵ *Id.* at 22985.

Accordingly, the Commission should apply a technology-neutral approach as it seeks to ensure non-discriminatory access to MTEs in order to ensure regulatory parity.

Respectfully submitted,

RURAL CELLULAR ASSOCIATION

By: 
Sylvia Lesse
John Kuykendall

Kraskin, Lesse & Cosson, LLP
2120 L Street, N.W.
Suite 520
Washington, D.C. 20037
(202) 296-8890

CERTIFICATE OF SERVICE

I, Naomi Adams, of Kraskin, Lesse & Cosson, LLP, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify that a copy of the foregoing "Comments of the Rural Cellular Association" was served on this 8th day of March 2002, via hand delivery to the following parties:


Naomi Adams

Chairman Michael Powell
Federal Communications Commission
445 12th Street, SW, Room 8-B201
Washington, DC 20554

Commissioner Michael J. Copps
Federal Communications Commission
445 12th Street, SW, Room 8-A302
Washington, DC 20554

Commissioner Kathleen Abernathy
Federal Communications Commission
445 12th Street, SW, Room 8-A204
Washington, DC 20554

Commissioner Kevin Martin
Federal Communications Commission
445 12th Street, SW, Room 8-C302
Washington, DC 20554

Thomas J. Sugrue, Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Office of Media Relations
Reference Operations Division
Federal Communications Commission
445 12th Street, SW, Room CY-A257
Washington, DC 20554

Leon Jackler
Commercial Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW, Room CY-A257
Washington, DC 20554

Qualex International
445 12th Street, SW
Room CY-B402
Washington, DC 20554