

Matthew J. Flanigan  
President  
703/907-7701

EX PARTE OR LATE FILED



March 12, 1998

Ms. Magalie Roman Salas  
Secretary, Federal Communications Commission  
Room 222  
1919 M Street, N.W.  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Ex Parte, FCC File Nos. 79-SAT-P/LA-97(63); 94--98-SAT-P/LA-97;  
182--186-SAT-P/LA-97; and 187-SAT-P/LA-97

Dear Ms. Salas:

Since you are relatively new in your position as Secretary to the Commission, I wanted to make sure you understood the manner in which the Telecommunications Industry Association ("TIA") and its component parts participate in FCC regulatory activities. Thus, the purpose of this letter is to clarify some points with respect to TIA and filings on the above-referenced applications. TIA is a full-service national trade organization with membership of 900 large and small companies that provide communications and information technology products, materials, systems, distribution services and professional services in the United States and around the world. The Association's member companies manufacture or supply virtually all of the products used in the modern communications network. TIA represents the telecommunications industry with its subsidiary, the MultiMedia Telecommunications Association ("MMTA"), in conjunction with the Electronic Industries Association ("EIA"). Attached for your information are the 1997 TIA Annual Report and the 1997 TIA Standards and Technology Annual Report.

From time-to-time, various TIA members who comprise specific segments of the overall industry make regulatory filings in the name of a specific product-oriented division or section of TIA, but not in the name of the overall Association itself, which can only be done in accordance with certain by-law procedures. Comments and Consolidated Reply Comments were filed in these proceedings on December 19, 1997 and February 20, 1998 by the Fixed Point-to-Point Communications Section of the Wireless Communications Division of the TIA ("TIA Fixed Section"). As noted in Footnote 2 of the TIA Fixed Section's Consolidated Reply Comments:

TIA Fixed Section members serve, among others, companies, including telephone carriers, utilities, railroads, state and local governments, and cellular carriers, licensed by the Commission to use private and common carrier bands for provision of important and essential telecommunications services. Sometimes a



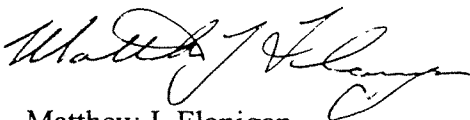
product-oriented division or a section of such a division will file in a proceeding representing the views of only the members of that division or section. This filing is specifically from the TIA Fixed Section. Furthermore, the TIA Fixed Section is an "interested party" with standing to file these Consolidated Reply Comments. Its members manufacture [fixed point-to-point microwave radio service ("FS")] equipment for the same bands where the applicants seek authority to operate.

Thus, as noted in the Consolidated Reply Comments filing, the points of view in the filing represent the consensus views of the members of the TIA Fixed Section, and not necessarily other TIA members, other TIA divisions, or the overall Association in total, and individual TIA members are free to agree with, rebut, or amplify on any particular issues raised in these TIA Fixed Section filings. TIA's bylaws allow for such divergence of views by individual TIA divisions or sections provided it is clear in the pleading – as shown in footnote 2 of the TIA Fixed Section's Consolidated Reply Comments -- that the filing is not being done in the name of the Association but in the interests of the members of the TIA Fixed Point-to-Point Communications Section.

Upon review, it appears certain internal procedures were not followed in this case and this may have caused some confusion among TIA members and at the Commission. This matter was only recently brought to my attention and steps are being taken to ensure the TIA by-laws and procedures implementing those by-laws are followed in the future.

As President, I wanted to acquaint you with TIA and ensure you understood the manner in which TIA participates in Commission proceedings. If you or your staff have any questions about TIA, please do not hesitate to contact me or a member of the TIA staff.

Sincerely,



Matthew J. Flanigan

cc (without attachments) Parties of record