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December 9, 1997

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

Re: Notice of Ex Parte Presentation; ET Docket No. 95-183; IB Docket No. 97-95; CC Docket No. 96-98; CC Docket No. 95-184; CCBPol 97-9

Dear Ms. Salas:

On December 9, 1997, Barry Ohlson and I, both of WinStar Communications (WinStar), met with Michael Riordan, Walter Strack, Patrick DeGraba and Jeffrey Dygert of the Federal Communications Commission. During the meeting, we raised positions already set forth in WinStar filings in each of the above-captioned proceedings. Pursuant to Section 1.1206(a) of the FCC's rules, 47 C.F.R. § 1.1206(a), we are filing with the Secretary an original and 10 copies of this notice of ex parte presentation and our agenda from the meeting.

Should there be any questions regarding the above, please do not hesitate to contact the undersigned at 202-833-5678.

Very truly yours,

Joseph M. Sandri, Jr..
AVP and
Regulatory Counsel

Enclosure

cc: Michael Riordan
Walter Strack
Patrick DeGraba
Jeffrey Dygert

A Winstar Communications Company

1146 19th Street, N.W. • Suite 200 • Washington, D.C. 20036 • TEL 202 833 5678 • FAX 202 659 1931

December 8, 1997
WinStar Communications, Inc./Federal Communications Commission

1. Introduction to WinStar Communications, Inc.
   - 38 GHz licenses
     -189 *area* licenses, each covering up to 10,000 square miles
     -licenses in the top 50 U.S. cities
   - Hub Networks attached to Lucent Class 5 Switches
     -Deploy in 20 top cities by March 1998 and in the top 42 cities by the year 2000
   - Interconnection Agreements Completed
     -RBOCs, GTE, Sprint, major independent LECs
   - CLEC Authority - 29 jurisdictions; CAP Authority - 38 jurisdictions
   - IXC Authority - 47 jurisdictions

2. Reducing Regulatory Burdens
   - Create public booklet which lists all FCC data reports (and their due dates)
   - Align all report filing dates. Perhaps offer an entire quarter (i.e., filings can occur throughout the first quarter of every year).

3. FCC Data Collection
   - Host Telecommunications Analysts: Roundtable
   - Synchronize with SEC
     - Ask all public companies to supply their annual SEC filings (10b, 10k..etc..)
     - Encourage private companies to provide similarly structured data

4. Process outstanding 39 GHz applications.

5. The Telecommunications Act of 1996 was crafted precisely for companies like WinStar
   - Premature RBOC entry into in-region long distance would devastate local competition.
   - No RBOC in the country can currently satisfy all of the 271 checklist requirements.

6. Satellite Encroachment
   - Engineering studies clearly prove that ubiquitous satellite systems cannot economically or feasibly share the same spectrum with high density fixed services

7. Non-Discriminatory Access to Customers via Building Rooftops, Inside Wire and Rights-of-Way is essential to the success of Wireless CLECs.
   - Large-scale Competitive Telecommunications Networks Are Stopped at the last "100 feet";
   - Building owners hold virtual monopoly control over tenant access to competitive telecommunications providers;
   - Price gouging and obstruction by building owners commonplace;
   - Incumbent LECs often pay nothing for building/customer access;
   - Federal solution needed
   - LMDS success is also tied to building/customer access

8. City and Municipal Franchise Requirements are being Applied in a Discriminatory Manner to Wireless CLECs.
   - Wireless CLECs do not place facilities in the public rights-of-way;
   - Municipalities require franchises even where public rights-of-way are not being used;
   - Municipal authority over 911 service is being leveraged by cities to require Wireless CLECs to enter into franchise agreements;
   - Municipalities that lack taxation authority cannot levy a tax under the guise of a franchise;
   - Franchise fees often bear no relation to the value or amount of the use.