



International Bureau

Federal Communications Commission  
Washington, DC 20554

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February 12, 2002

Mr. William J. Burhop  
Executive Director  
Independent Multi-Family Communications Council  
3004 Oregon Knolls Drive, NW  
Washington, DC 20015

Dear Mr. Burhop:

In your letter dated February 5, 2002 you state that you assume "no regulatory action is underway which would diminish or change the PCO [Private Cable Operators] use of microwave technology in the currently allocated spectrum." Currently, the Commission is reviewing the proceeding titled *In the Matter of Redesignation of the 17.7-19.7 GHz Frequency Band*, IB Docket No. 98-172, RM-9005, RM-9118, and the issue of "PCO use of microwave technology in the currently allocated spectrum" is clearly within the scope of this proceeding. As such, there should be no assumptions made with respect to that aspect of the rulemaking.

As always, we strive to conduct a thorough analysis of the issues before us and with that in mind, we will follow the proper administrative requirements to ensure that we can conduct a thorough analysis of this issue in the *18GHz Proceeding*.

Sincerely,

  
Richard B. Engelman  
Chief, Planning and  
Negotiations Division

cc: IB Docket No. 98-172

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Mark Sherman

**Via Electronic Mail**

February 5, 2002

Mr. Richard B. Engelman  
Chief, Planning & Negotiations Division  
International Bureau  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554

Dear Rick,

Near the end of 2001, we communicated regarding the importance of 18GHz microwave transmissions as utilized by Private Cable Operators (PCOs) to maintain and expand video transmission to compete with franchised cable operators in multiple dwelling unit environments. It is clear that this technology, including the use of a contiguous block of 400 megahertz, is very important for the ability of PCOs to provide video competition. Also, the FCC conducted a thorough, lengthy and expensive analysis of all related issues which was completed in the recent past. For these reasons, it is assumed that no regulatory action is underway which would diminish or change the PCO use of microwave technology in the currently allocated spectrum.

If this assumption is incorrect, we assume that public notice of regulatory reconsideration would be given and that PCOs would be given the opportunity to communicate with the FCC through formal comments and in meetings.

Sincerely yours,

William J. Burhop  
Executive Director

cc.: K. Ferree, Cable Services Bureau