

August 8, 1984

CONCURRING STATEMENT OF
COMMISSIONER JAMES H. QUELLO

In re: Random selection proceeding for 800 MHz Specialized
Mobile Radio (SMR) licenses in the New York City,
Philadelphia, Washington, D.C. and Baltimore areas

I object to the manner in which the Commission approached the use of the lottery to decide among SMR applicants in this proceeding. Purporting to adopt a comparative process, the Commission found one-hundred and four applicants equally qualified to operate new SMR systems. In fact, there was no comparison of qualifications. The only "comparative" merits awarded were on the basis of the nature of the proposed service; i.e., expanded, new or conventional. Each applicant's ability to carry out its proposal was simply assumed.

I continue to have concerns that the Commission is unnecessarily weakening its comparative process as it perpetuates a trend toward deciding among applicants by lot.

354