



U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

MAY 15 1992

MAY 19 1992

Federal Communications Commission
Office of the Secretary
CC Docket 92-76
1919 M Street, NW
Washington, D.C. 20554

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Federal Communications Commission
Office of the Secretary

Federal Communications Commission (FCC) Public Notice
CC Docket No. 92-76 asks for comments regarding the
establishment of an advisory committee to negotiate proposed
regulations defining the technical and service rules appropriate
to the provision of data messaging and position determination
services using low-Earth orbit (LEO) satellites. The following
information is provided in accordance with paragraph 11:

- a. The Spectrum Engineering Division (ASM-500) will represent the Federal Aviation Administration.
- b. The Spectrum Engineering Division represents the Federal Aviation Administration on all spectrum matters.
- c. The FAA Spectrum Engineering Division shall actively participate in good faith in the development of the rules under consideration.
- d. The persons specified in the Notice do not adequately represent the interests of civil aviation and the federal government as they are all from the private sector.

Civil aviation are users of an adjacent band 118-137 MHz allocated for aeronautical mobile (R) service, and as such, must ensure that the transmitted power levels of the satellite system elements operating in the adjacent 137-138 MHz band are adequately filtered to acceptable levels within the adjacent aeronautical band. Therefore the FAA requires representation on the Committee.

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Regarding the questions in paragraph 21 of the Notice, the following comments are provided:

- a. A Federal Advisory Committee should be established to negotiate proposed regulations regarding LEOs.
- b. Civil aviation interests were not identified as an adjacent band user.
- c. The proposed Committee membership does not reflect a balanced representation of interest. What about civil aviation and Department of Defense interests?
- d. Regulatory negotiation is appropriate for this rulemaking.

Sincerely,



Gerald J. Markey
Manager, Spectrum Engineering Division