Aldo I. Perez P.O. Box 450706 Miami, Florida 33245 March 20, 2019

**COMMENT: Proceeding # WTB 16-290**

Chairman Pai & Respected Commissioners,

We are writing to express what has occurred to the minority common shareholders of Terrestar Corporation. The means how 2014 AWS Spectrum Bidco Corporation were able to acquire the 1.4 GHz Spectrum License bandwidth.

I fully support the wireless medical telemetry services (WMTS) in creating innovation, and any means whatsoever in providing health care to the general public in the reduction of health care cost in which the American people can financially benefit. Especially in these days in our nation, health care can be very costly. But to provide the necessary health care, is the Federal Communication Commission willing to look the other way, and permit the wrong doing, and as well the most sacred “ **character, and candor clause** “, to be abuse and violated, by 2014 AWS Spectrum Bidco Corporation, Highland Capital Management Fund Advisors, L.P., Solus Alternative Asset Management L.P., and other key players, who were instrumental in the taking, and causing the violation of our rights to the ownership of the 1.4 GHz Spectrum License which was once owned by the minority common shareholders of Terrestar Corporation.

The minority common shareholders were abused by a well, carefully crafted, and massive ***constructive fraud bankruptcy scheme*** in the dissipation of its corporate, and intangible assets in the billions of dollars. Terrestar Management, including its Board of Director,“ **Breach its Fiduciary Obligation & Duty** “, the deliberate Mismanagement, the Negligence, the Abuse, and the Wasteful Spending, against the minority common shareholders, and this is a fact.

Chairman Pai , and Respected Commissioners, deception, and bad faith did occur, prior, during, and after the bankruptcy proceedings of Terrestar Corporation, by maliciously undervaluing the three spectrum license, the 1.6 GHz, the 2.0 GHz, and finally the 1.4 GHz Spectrum licenses.

The failure by the Department of Justice, Executive Office of the United States Trustee at the Southern District of New York, and the two Appointed Trustee by not suggesting, in their lack of not referring to the bankruptcy Judge, any other outside, unbiased, objective, or at least a much more lucrative offer by other different sources. Instead of keeping under wraps, and under a complete control by the very same insiders, and well connected within the group of *“****elite telecommunication boys club*** “.The Department of Justice Executive Office of the Appointed United States Trustee was the “***lapdog*** “, and were never our “***watchdog*** “. Unfortunately, this is also a fact.

The 1.4 GHz Spectrum License, and its 64 F.C.C. Licenses, this key Spectrum band was maliciously undervalued like the other two spectrum licenses. Stating prior the bankruptcy proceedings, the low ball valuation for the 1.4 Spectrum License, while stating the low amount being for only ***$177 Million Dollars***, prior, and during the bankruptcy proceedings. The appointment of Terrestar financial advisor clearly stating the low ball valuation being from a range of **$160 Million Dollars, to $235 Million Dollars in the bankruptcy Confirmation Hearing on October 10, 2012**, (**Case # 11-10612 (SHL) Docket # 675), for the 1.4 GHz bandwidth was questionable, and downright unethical.**

After the Confirmation Hearing, an Independent Valuation Study was paid to a well respected C.F.A., which specialized in the telecommunication spectrum valuation. This was paid by 24 different minority common shareholders. It was determined, the true, and realistic valuation for the 1.4 GHz spectrum band was for much more, for no less than **$1 Billion Dollars**, instead of the low ball amount of $160 to $235 Million Dollars. The independent valuation study can be provided if needed.

A complete contradiction what Terrestar so called Financial Advisor in the bankruptcy Confirmation Hearing on October 10, 2012 testified for. The Financial Advisor, was being coach, and guided during the court proceeding of the Confirmation Hearing. It was to justify the need for Terrestar to file its petition for Chapter 11 bankruptcy by keeping the 1.4 GHz spectrum band as low as possible in the range of $160 to $235 Million Dollars. It was a true travesty of justice, and as of today, and remained so.

Terrestar Management, along with its Financial Advisor, and its lawyers, clearly knew the full scope of the different usage of the 1.4 GHz Spectrum License, and how valuable the 1.4 GHz Spectrum is worth.

Another telecommunication study was conveniently introduced months after the confirmation of Terrestar bankruptcy plan, (October 24, 2012), from the Jarvanian Group LLC, and its respected Telecommunication Spectrum Expert, John H. Dooley. He confirmed what the minority common shareholders always knew. The 1.4 GHz Spectrum License was worth greater than $ 1 Billion Dollars. We later found out, Mr. Dooley was granted an equity ownership position of the newly created entity of 2014 AWS Spectrum Bidco Corporation, along with the Hedge Fund, Highland Capital Management Advisory Fund Advisors, L.P., from Dallas, Texas, the Hedge Fund, Solus Alternative Asset Management, L.P., and West Face Opportunities Fund, L.P.

Terrestar Financial Advisor, and its lawyers clearly had knowledge, the 1.4 GHz ecosystem was in place at the time of the bankruptcy, but the Judge was mislead, this is also a fact. Regretfully , the Bankruptcy Judge Sean H. Lane accepted the falsehood testimony from the appointed Financial Advisor regarding the 1.4 GHz Spectrum License. Unfortunately, the minority common shareholders of Terrestar Corporation were wiped out of its equity ownership of their Terrestar common stock with a stroke of a pen. A true travesty of justice.

Only the class of the minority common shareholder were wiped out, not the two top majority common shareholder, and neither did the Preferred Shareholders, including Highland Capital Management Fund Advisors, L.P., Solus Alternative Asset Management, and neither West Face Opportunity Fund L.P., were not wiped out. Then the new entity was created, “ 2014 AWS Spectrum Bidco Corporation”.

Terrestar lawyers cleverly recommended to the court to place the minority common shareholders in “**CLASS 9 A**“, **(Docket # 565**). All other majority common shareholders had the financial means to challenge, and to fight this abuse by Terrestar, and its lawyers. Well, they were placed in “ **CLASS 9 B** “.

We were not carried over to the new entity when it emerged out of bankruptcy. We were wiped out of our equity ownership of Terrestar stock. Our stock was cancelled, and we were wiped out.

I urge Chairman Pai, and the Respected Commissioners to read the S.E.C., Terrestar Schedule 14-C filing. A fee was paid for the amount of $1,000,050.00 Dollars, to the Wall Street brokerage firm of Jefferies & Company, for a “***Fairness Opinion***”. In this study, it clearly stated the 1.4 GHz Spectrum valuation was worth in a range starting the low level of **$534 Million Dollars, to the mid level amount for $668 Million Dollars, and finally the high level range was for an amount of** **$832 Million Dollars** back in February 4, 2008.Therefore, you must question why would Terrestar Management paid for that 1.4 GHz spectrum band Fairness Opinion to begin with? It was strategically done to wipe out the minority common shareholders of its equity ownership of Terrestar common stock in the future date because it was part of its complex constructive fraud bankruptcy scheme.

We also urge Chairman Pai, and Respected Commissioners, to carefully read the recent article written by the Wall Street Journal Columnist, Jason Zweig, which came out on February 15, 2019, at 1:24 p.m. E.T. Mr.Zweig clearly states the price of the recent trade in the Closed End Fund in the Highland Allocation Fund, and it was concluded that Terrestar, (without the 1.4 GHz Spectrum License), a trade was made in **July 2018 for a whopping $350.00 per** **share**. But yet, the minority common shareholders of Terrestar, never saw one single penny in their benefit when Terrestar was taken to Chapter 11 bankruptcy.

Chairman Pai, and Respected Commissioners, Terrestar in-house Lawyer, and approved by its Board of Directors, created a new Holding company.The name being Terrestar Holding Inc. Terrestar Holding Inc., never filed for Chapter 11 bankruptcy. But the publicly traded company of Terrestar Corporation did so on February 16, 2011 in the United States Bankruptcy Court of the Southern District of New York.

For the record, the following has occurred:

A.A subsidiary was created under Terrestar Holdings Inc., by the name of Terrestar 1.4 Holdings LLC, on **September 9, 2009**.Terrestar Management transferred the 1.4 GHz Spectrum License from the publicly traded parent company of Terrestar Corporation, to the subsidiary of Terrestar Holding Inc., to Terrestar 1.4 Holdings LLC. The minority common shareholders had no knowledge whatsoever Terrestar Corporation was carefully, strategically took these steps to do so.

B.The transfer of the 1.4 GHz Spectrum license was kept confidential .It was approved, and granted by the S.E.C., in a Confidential Treatment Order, or in a CT-Order, filed in **January 4, 2010, (File # 1-33546-CF # 24384).Terrestar bankruptcy could have been prevented. Why did the Confidential Treatment Order requested to begin with.**

C. The Preferred Shareholder including Highland Capital Management Fund Advisors, L.P., it’s Manager, along with Solus Alternative Asset Management, and it’s Manager, and others were privy to this information, not the Terrestar minority common shareholders. We were NEVER informed.

D.The restructuring of Terrestar Corporation corporate structure was done, strategically eliminating the equity ownership of our Terrestar common stock for only the minority common shareholders.

And

E.The 1.4 GHz Spectrum License was transferred on December 2009,Terrestar Corporation filed its petition for Chapter 11 Bankruptcy on February 16, 2011.This was a bankruptcy violation, a violation of **Section 548, or a “ Fraudulent Transfer** “. But Terrestar Holding Inc., and its subsidiary, Terrestar 1.4 Holding LLC, never filed for Chapter 11 bankruptcy.

Now the new business plan has been implemented, focusing in delivering health care focusing in saving lives, delivering health care, in a more improve, and efficient way. At the same time reducing health care throughout the United States, for the general public, and a new entity has been created by the name of Terrestar Medical Inc. Using the very same 1.4 GHz bandwith which once belonged to minority common shareholders of Terrestar Corporation.

We believe the usage of the 1.4 GHz Spectrum License should be use strictly for the benefit of the health care sector, in the usage of patients monitoring, and the advancement of health care in saving lives throughout the nation Hospital Emergency Room Care Facilities, MRI Centers, CT-Scan Centers, Medical Offices, and other health care facilities, including rural communities.

But we also urge the F.C.C., should demand the creation of a new publicly traded company, and the S.E.C., along with the United States Attorney General Office, should, or appoint a Special Prosecutor, or a Trustee to oversee the usage of the 1.4 GHz Spectrum License is being “ **DIRECTLY** ”use for that sole purpose, and will NOT be transferred to any other entity, entities, or any other privately Holding company to financially benefit a small group of individuals. Not to any direct, indirect affiliates, subsidiary, or any other outside divisions. In the prevention of being part of any future massive constructive fraud bankruptcy scheme. It should be monitor closely by the appointed Trustee, or Prosecutor by the United State Attorney General Office of the United States.

Next, a new publicly traded company should, and must honor the maximum number of common shares for each of the minority common shareholder that were deliberately wiped out, when their common stock was cancelled, and their rights were violated due to the confirmation of the bankruptcy plan of Terrestar Corporation on October 24,2012. Only those who were impacted, and were defined as **“ CLASS 9A** “ common share, or who were wiped out of its equity ownership of Terrestar common stock.

A new “**PREFERRED SHARE** “, should be issued for only the minority common shareholders who were wiped out in the Terrestar Corporation bankruptcy. As a matter of protection, and the prevention of any wrong doing.

Past financial obligation from Terrestar Corporation that was incurred in the past, which was created directly, or indirectly by Terrestar Management, and by its Board of Directors will not be carry over to the new publicly traded company, and neither to the minority common shareholders who were impacted in their loss of their equity ownership of Terrestar Corporation common stock, or defined under Class 9A.

The minority common shareholders who were impacted with any financial loss, including Attorney Fees, Court Cost, Traveling Expenses, and all other pertinent expenses incurred in the legal battle in the bankruptcy Terrestar Corporation, prior, during, and after the bankruptcy proceedings of Terrestar Corporation in the United States Bankruptcy Court of the Southern District of New York, will be reimburse for its expenses by Highland Capital Management Fund Advisors LLP, by Solus Alternative Asset Management, West Face Opportunities Fund, and 2014 AWS Spectrum Bidco Corporation. They should honor, and pay the compensatory damages which will be fair, reasonable, for only those particular minority common shareholders of Terrestar Corporation who were greatly impacted.

The 2014 AWS Spectrum Bidco Corporation, including the different affiliates connected with Highland Capital Management, Highland Capital Management Fund Advisors LLP, or, and Highland Capital Allocation Fund, Solus Alternative Asset Management, or any other connected, directly, or indirectly, or any other affiliates to 2014 AWS Spectrum Bidco Corporation, in the usage, of the 1.4 GHz Spectrum License for the business model for the purpose in the health care of the , including the newly formed company of Terrestar Medical Inc., must compensate the minority common shareholders as close as possible to a $39.94 per share for the minority common shareholders who were impacted , and were wiped out from their equity ownership losses due to the Chapter 11 bankruptcy of Terrestar Corporation, or were placed in Class 9A. This price is surely reasonable, and fair.

And finally, the F.C.C., will demand those individuals from the past Terrestar Management, including the Directors & Officers who were once employed at Terrestar Corporation, and prior the I.P.O., of Terrestar Corporation, when it was formerly known as Motient Corporation, who were instrumental in this massive constructive fraud bankruptcy scheme, should, and must be barred from having any employment position whatsoever, directly, indirectly, or through any affiliates, or connection with the newly created publicly traded company. There will not, and cannot be any tied whatsoever with the Terrestar Corporation, and Highland Capital Management Fund Advisors, LP, any affiliates of Highland Capital Management, and including Solus Alternative Asset Management, or its affiliates, directly, or indirectly, with the created publicly traded company.

My sincere apologies for this long letter, but Chairman Pai , and each of the Respected Commissioner, we are not trying to be obstructionist in the advancement in delivering the much needed health care in the United States. And neither do we want to complicate matters for the F.C.C., but Chairman Pai, and Respected Commissioners we are only providing certain remedy that can be taken. For granting us this opportunity to express the true facts what has occurred to the minority common shareholders of Terrestar Corporation, but at the same time, protecting our rights, and our property in which the innocent minority common shareholders of Terrestar were abused, and taken advantage of.

Chairman Pai, and Respected Commissioner before I close, for the record, let me forward a key document for your careful review. What has occurred in the past to Highland Capital Management Fund Advisors, L.P. , how ironic it is, this is precisely what has been done to the minority common shareholders of Terrestar Corporation.

Very truly yours,

Aldo I. Perez

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