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FCC *MA* Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

JUL 24 5 09 PM '92

In the Matter of

Amendment of Section 2.106 of  
the Commission's Rules to  
Allocate the 1610-1626.5 MHz  
and the 2483.5-2500 MHz Bands  
for Use by the Mobile-Satellite  
Service, Including Non-  
geostationary Satellites

)  
) ET Docket No. 92-28  
) RM-7771 PP-29 PP-32  
) RM-7773 PP-30 PP-33  
) RM-7805 PP-31  
) RM-7806  
)  
)

ORDER

Adopted: July 23, 1992

; Released: July 24, 1992

By the Chief Engineer:

1. In this Order, we deny the motion for stay of this proceeding filed by TRW, Inc. (TRW) on April 6, 1992.

2. TRW requests that this proceeding be stayed pending Commission consideration of its petition for further reconsideration of the pioneer's preference rules, which it also filed April 6, 1992. TRW has not met the applicable standards for a stay, however. See Washington Metropolitan Area Transit Comm'n v. Holiday Tours, Inc., 559 F.2d 841 (D.C. Cir. 1977); Virginia Petroleum Jobbers Ass'n v. FPC, 259 F.2d 921 (D.C. Cir. 1958). In particular, TRW has not shown that any tentative grant of a pioneer's preference to an entity other than it would cause it irreparable injury. Any such tentative grant might never be finalized, and a license to that entity might never be issued. Moreover, even if it were, TRW itself might still be granted a license. In any event, to the extent TRW is injured, it can preserve its rights and the Commission or a court can redress any injury. Finally, we note that the public interest would not be served by a stay here, as such action would delay the development and introduction of service to the public.

3. Accordingly, IT IS ORDERED THAT, the Motion for Stay filed by TRW, Inc. on April 6, 1992, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

*Thomas P. Stanley*  
Thomas P. Stanley  
Chief Engineer