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July 28, 1992  
(By Hand Delivery)

\* ADMITTED VA ONLY

Ms. Donna Searcy  
Secretary  
The Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: ET Docket No. 92-28; PP 29-33

Dear Ms. Searcy:

TRW Inc. ("TRW"), through undersigned counsel, hereby advises the Commission of its intent to seek Commission review of an Order released by the Chief Engineer on July 24, 1992, in the above-referenced docket ("Order"). The Order denies TRW's Motion for Stay of the Commission's processing of the Big LEO pioneer's preference requests pending further reconsideration of the underlying rules for the processing of such requests. See TRW Motion for Stay, ET Docket No. 92-28 (filed May 5, 1992). See also Establishment of Procedures to Provide a Preference to Applicants Proposing an Allocation for New Services, 6 FCC Rcd 3488 (1991), recon. in part, 7 FCC Rcd 1808 (1992), further recon. pending.

The Commission's rules provide for a period of 30 days in which to file applications for review of staff orders. 47 C.F.R. § 1.115. TRW intends to file its application for review of the Order as soon as possible; well before the expiration of the 30-day period. Nonetheless, because TRW is concerned that its Motion for Stay was not accorded due consideration, and for the reasons stated below, we wish to inform the full Commission of TRW's concerns in this matter.

The Order fails to provide a well-reasoned explanation for the denial of TRW's Motion for Stay, which had the support of all but one of the petitioners for pioneer's preference in this proceeding. Notwithstanding the citations to court cases establishing the applicable stay test and a cursory statement

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Ms. Donna Searcy  
July 28, 1992  
Page 2

asserting TRW's lack of irreparable injury, the Order fails to articulate any rationale for denying the Motion, particularly given its support among the affected parties. In addition, because the Motion was directed at maintaining the status quo while the Commission reviewed fundamental issues of law, which are not the subject of Commission precedents, TRW questions whether the Chief Engineer has been delegated authority by the Commission to issue the Order in question. See 47 C.F.R. § 0.241(a)(5).

Accordingly, TRW requests that the Commission not take any further action in ET Docket No. 92-28 until TRW's application for review of the Chief Engineer's Order has been fully considered.

Respectfully submitted,



Norman P. Leventhal  
Raul R. Rodriguez

RRR:nc

cc: All Commissioners  
Dr. Thomas P. Stanley, Chief Engineer  
All parties of record

**CERTIFICATE OF SERVICE**

I, Nesa Chappelle, hereby certify that a copy of the foregoing Letter was served via hand and first-class mail, postage prepaid, this 28th day of July 1992, on the following persons:

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