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February 27, 1996

RECEIVED

FEB 27 1996

William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: CC Docket No. 92-297, RM-7872, RM-7722
Ex Parte Presentation

Dear Mr. Caton:

The undersigned representative of Hughes Communications Galaxy, Inc. met today with Commission representative Brian Carter to discuss band segmentation proposals for the 28 GHz band. The enclosed materials formed the basis for those discussions.

An original and two copies of this letter are enclosed.

Respectfully submitted,


John P. Janka

Enclosures

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28 GHz BAND PLAN OPTIONS

Proceeding Overview

GSO FSS is an established service

- 28 GHz is the next growth band

GSO FSS 28 GHz spectrum requirements in the US have remained constant (1000 MHz)

Other services have expanded their stated needs

- LMDS now requires separated return links
- LMDS has reneged on Neg Reg sharing agreement
- Iridium has expanded from 100 to 200 MHz
- Odyssey has expanded from 100 to 300 MHz
- Teledesic has expanded from 400 to 500 MHz (standard terminals)

Option 4 Is Inequitable

GSOs have solved the NGSO MSS sharing issue

Option 4 spectrum reduction places burden of LMDS return link problem on GSOs

- **Lost capacity**
- **Smaller market**
- **System redesign**
- **Lost market opportunity from schedule delay**
- **Increased system cost**

Inadequate bandwidth jeopardizes viability of mass market 28 GHz GSO FSS in the US

Option 4 Is Inequitable

GSOs have been asked to bear numerous burdens under any band plan

- constraints from sharing with NGSO MSS feeder links
 - performance and capacity losses
 - design limitations (current and future systems)
- non-standard downlink pairing
- non-contiguous spectrum
- LMDS grandfathering
- restrictive space science power limits

GSOs have most extensive sharing

- with each other (2 degree spacing)
- with NGSO MSS feeder links

Other Alternatives Must Be Pursued



Original Band Plan (NPRM July 1995) is acceptable with minor adjustments

- Hughes/TRW sharing principles resolve issue in 250 MHz of shared spectrum
- GSOs and Iridium must avoid spectrum overlap

Options 1, 2, 2A, 2B and 5 are viable

Options 3 and 4 are unacceptable

- significant GSO bandwidth constraints

Some adjustments by other services may be required

Extraterritorial Extension

Hughes supports “market solution” to international 28 GHz issues

Restricting US GSO operations in 400 MHz internationally biases market access in favor of NGSO

Regulations should not shackle GSO FSS to advantage of NGSO FSS

- reciprocal treatment required
- flexibility needed to respond to future changes in band usage

Band plan should be only a domestic solution

Summary

GSOs have agreed to numerous concessions in order to develop a compromise band plan

GSO spectrum needs have remained constant while other services have expanded their needs

GSOs should not be asked to bear additional pain to solve the LMDS return link problem

Options 3 and 4 are “non-starters” for GSOs in the US

Option 5 is the best solution in the US for all parties

- provides requested amount of spectrum to all services
- only a minor adjustment to July 1995 NPRM proposal
- LMDS burden is less than GSOs have been asked to bear
- most consistent with WRC-95