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EX PARTE OR LATE FILED

March 15, 1996

BY HAND

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: Ex Parte Contact in ET Docket No. 95-18

Dear Mr. Caton:

On Friday, March 15, 1996, the undersigned met with Sean White of the Office of Engineering & Technology. The purpose of the briefing was to discuss COMSAT's Supplemental Comments, filed March 14, 1996 in the above-referenced docket, which request that the FCC incorporate the actions taken at WRC-95 into its decision in this proceeding. A copy of the briefing materials presented to Mr. White is attached to the original and one copy of this letter filed with the Secretary.

Respectfully submitted,

Nancy J. Thompson

Attachment

cc: Sean White, OET

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COMSAT'S PHASED TRANSITION PLAN FOR 2 GHz

The key steps under COMSAT's phased transition plan to facilitate the introduction of 2 GHz MSS service in the United States by the year 2000 are as follows:

1. The Commission should immediately implement the Final Acts of WRC-95 regarding the spectrum allocations and dates of access for MSS so that the 1990-2025 MHz/2160-2200 MHz bands are allocated for MSS uplinks and downlinks, respectively, commencing January 1, 2000.
2. The results of WRC-95 and the information provided by COMSAT establish that terrestrial FS and MSS can share the band 2160-2200 MHz after January 1, 2000 in the U.S. as part of a long term transition plan. Thus, the FCC should implement MSS in the 2 GHz bands under a phased transition approach consistent with the results of WRC-95 by adopting COMSAT's alternative transition plan, as clarified herein.
3. To implement the transition, the Commission should impose a freeze on all new Broadcast Auxiliary Service (BAS) and FS licenses for the bands 1990-2025/2160-2200 MHz effective with the adoption of an Order in this proceeding.
4. In the MSS uplink, the BAS operators now occupying the 1990-2025 MHz band in the United States should be required to work with the MSS applicants to accommodate MSS operators in two phases:
 - a) Under phase 1, the BAS operators would vacate the 1990-2008 MHz band (BAS channel 1) by the year 2000. This could be accomplished with minimal impact on BAS by rechannelization of the BAS band, as described in COMSAT's alternative plan.
 - b) Under phase 2, the BAS operators would vacate the 2008-2025 MHz band (BAS channel 2) by the year 2005 through digitalization and/or relocation to other bands. However, after January 1, 2000, BAS operations in this band would become secondary to MSS and would be required to accommodate any MSS systems proposing to operate in this band before the year 2005. After January 1, 2005, BAS operations in this band would cease.

5. In the MSS downlink, the terrestrial FS operators now occupying on a primary basis the 2160-2200 MHz band in the United States would be required to negotiate sharing arrangements with MSS applicants proposing to use this band, or specific segments of the band, between the years 2000 and 2005 consistent with the results of WRC-95. After January 1, 2005, all FS operations in this band would cease; existing FS operations would migrate to other bands during the transition period.
6. In the MSS downlink specific coordination arrangement to share all, or certain portions, of the band should be determined by the FS/MSS operators before the end 1996. The Commission should validate industry agreed guidelines, as necessary, to implement MSS/FS sharing at 2 GHz.

SUMMARY

At the 1995 World Radiocommunication Conference ("WRC-95"), 138 countries agreed to Final Acts that allocated spectrum at 2 GHz for use by the global Mobile Satellite Services ("MSS") beginning on January 1, 2000, and recognized that MSS and existing terrestrial Fixed Services ("FS") can share certain segments at 2 GHz for a limited time as part of an overall transition plan for the 2 GHz band. As shown in our Supplemental Comments, the results of WRC-95 directly impact the issues under consideration in this rule making and must be considered by the Commission in formulating its decision. Indeed, COMSAT believes that the results of WRC-95 fundamentally alter the assumptions underlying the Commission's proposals for the deployment of MSS at 2 GHz in the United States, and support the adoption of COMSAT's alternative transition plan filed in this proceeding on May 5, 1995, as clarified herein.

COMSAT has previously shown that the Commission's proposals, which require that MSS operators relocate and fully reimburse all existing operators in the MSS uplink and downlink bands, are not necessary from a technical standpoint and impose an impossible economic burden on MSS. In contrast to the regulatory framework used to introduce new, personal communications services, for which spectrum was needed immediately in the U.S. and sharing with existing licensees was not feasible, a different approach is needed here since global MSS will only begin using spectrum in the year 2000, and sharing on the MSS downlink with existing terrestrial FS licensees is feasible for some period of time.

We believe that the results of WRC-95 provide a workable, alternative framework for the Commission to allocate spectrum at 2 GHz for domestic use by MSS and that the results support adoption of COMSAT's phased transition plan for the 2 GHz band.

In order to expedite resolution of this proceeding, we request that the FCC place our Supplemental Comments on public notice and seek comment from interested parties on our specific proposals for allocating the 2 GHz band to MSS consistent with the results of WRC-95. Adoption of COMSAT's phased transition plan, as summarized in Charts A-C of our Supplemental Comments, will enable the Commission to accomplish its objectives in this proceeding to facilitate the delivery of new, competitive, cost-effective MSS services at 2 GHz in the United States by the year 2000, while properly safeguarding the FS licensees' interests.

**CHART A - FCC ACTIONS TO IMPLEMENT
WRC-95 TRANSITION ARRANGEMENTS FOR
2 GHz BANDS IN THE U.S.**

Immediately, Adopt WRC-95 Allocations for MSS in the 2 GHz Bands:

- 1) 1990-2025 MHz for MSS Earth-to-space**
- 2) 2160-2200 MHz for MSS space-to-Earth**

Immediately, Freeze All New Licenses::

- 1) Broadcast Auxiliary Service (BAS) Licenses in the 1990-2025 MHz Band;**
- 2) Fixed Service (FS) Licenses in the 2160-2200 MHz Band**

By 1 January 2000, Require:

- 1) BAS Operators to Vacate the 1990-2008 MHz Band (Channel 1);**
- 2) FS and MSS Operators to Coordinate in the 2160-2200 MHz Band**

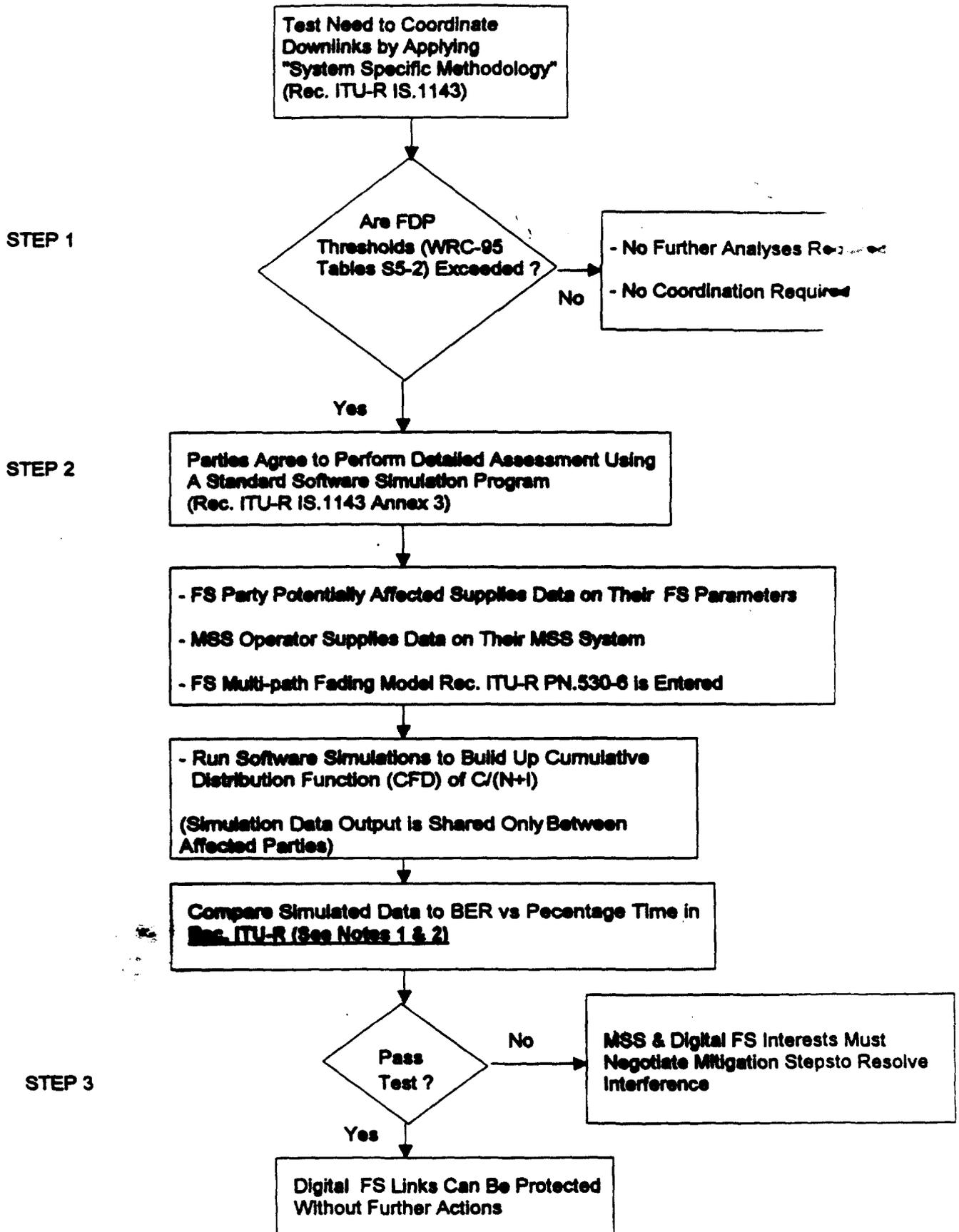
After 1 January 2000, Require:

- 1) BAS Operators to become secondary in the 2008-2025 MHz Band (Channel 2) as necessary to accommodate MSS systems operating before the year 2006;**
- 2) FS and MSS Operators to Coordinate in the 2160-2200 MHz Band**

As of 1 January 2005, Require:

All BAS and FS Operations to cease in the 1990-2025 MHz and 2160-2200 MHz Bands

CHART B - ACTIONS TO COORDINATE MSS DOWNLINKS INTO EXISTING DIGITAL FS RECEIVE STATIONS



Notes: 1) Rec. ITU-R F.697-1 for digital FS system in the local grade portion of ISDN
 2) Rec. ITU-R F.634-2 or F.634-3 for digital system in the high grade portion of ISDN

CHART C - ACTIONS TO COORDINATE MSS DOWNLINKS INTO EXISTING ANALOG FS RECEIVE STATIONS

