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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

November 12, 1996

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Federal Communications Commission
Office of Secretary

OFFICE OF
THE CHAIRMAN

The Honorable John D. Dingell
Ranking Minority Member
Committee on Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

DOCKET FILE COPY ORIGINAL

Dear Congressman Dingell:

Thank you for your letter of September 20, 1996, regarding the satellite digital audio radio services (DARS) pioneer's preference review panel. You asked to be provided with the credentials and qualifications of each member of this panel, and also requested that panel members be given relevant filings submitted by American Mobile Satellite Corp. (AMSC), Primosphere Limited Partnership (Primosphere), and Digital Satellite Broadcasting Corp. (DSBC), as well as sufficient time to thoroughly review those filings.

I have enclosed information regarding the panel members. This panel was established to review the pioneer's preference applications submitted in the DARS rulemaking proceeding by Primosphere, DSBC, and Satellite CD Radio, Inc. (CD Radio). While peer review of satellite DARS pioneer's preference applications is not legally required because those applications were filed prior to the September 1, 1994, date set forth in Section 309(j)(13)(D)(iv) of the Communications Act, the Commission chose to undertake peer review in order to be responsive to your concerns about the process used to examine those applications. The Commission chose to use government, rather than non-government, employees on the panel in order to achieve both time and monetary savings. Moreover, Commission staff advises me that each member of the panel is an expert in the subject area, and that the staff is unaware of other potential panelists who would be more highly qualified.

With respect to your request that the panelists be provided with additional relevant filings, in a Public Notice of September 30, 1996, the Commission's Office of Engineering and Technology and International Bureau established a filing deadline of October 2, 1996, for the submission of additional documents relating to the pioneer's preference applications of Primosphere, DSBC, and CD Radio. AMSC, Primosphere, DSBC, and CD Radio each submitted additional documents on that date, and those documents, together with other recent filings submitted by the four parties, have now been forwarded to the review panel.

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The review panel requested, and was granted, an extension of time to complete its review of all documents submitted to it. The panel now plans to submit its final report to the Commission on November 18, 1996.

Upon receipt of that report, the Commission will promptly issue a public notice seeking comment on its recommendations, and will act expeditiously on these applications. It is in everyone's interest to bring this proceeding to a close so that the American public may have the benefit of this important new satellite technology.

Please do not hesitate to contact me if you have any other questions or concerns.

Sincerely,



Reed E. Hundt
Chairman

Attachments

Congratulations again - you return
to Congress - will look forward to
our next get-together.
Reed

CURRICULUM VITAE

JOHN T. GILSENAN

EDUCATION

Master of Science, Systems Analysis, George Washington University, 1976.
Bachelor of Electrical Engineering, Manhattan College, 1961.

EMPLOYMENT

Present U.S. Department of State, Deputate for International Communications and Information Policy, Bureau of Economic and Business Affairs, Director for Telecommunications Policy for Canada, Deputy Director for Radio Spectrum Policy.

1970 to 1983 Federal Communications Commission, Senior Electronics Engineer.

1966 to 1970 Department of the Navy, Senior Project Engineer.

1962 to 1965 United States Marine Corps, Lieutenant.

EXPERIENCE

- **U.S. Representative to the Inter-American Telecommunications Conference (CITEL) on Radiocommunications. Coordinates preparatory activities.**
- **Director, Telecommunications Policy for Canada. Coordinates U.S. preparatory activities and leads delegations in bilateral radio communications meetings with Canada. Negotiates new and amended agreements with Canada involving radio communications such as UHF/VHF television, FM broadcasting and other radio spectrum agreements.**
- **U.S. Representative to the International Telecommunication Union (ITU) radiocommunications study group for mobile and mobile satellite services. Leads preparatory activities.**
- **Chairman, National Information Infrastructure Task Force Working Group, concerning international organizations and telecommunication standards. Contributed to the Administration policy on the global information infrastructure.**
- **Negotiate bilateral satellite frequency coordination arrangements concerning U.S. low earth orbiting satellite systems, the U.S. global positioning satellite system (GPS) and a Russian radio navigation satellite system, GLONASS. Developed framework**

agreement for use of the geostationary satellite orbit with Mexico, U.S., and Canada.

Executive Director and U.S spokesman for technical matters at the 1992 International Telecommunication Union World Administrative Radio Conference (WARC) on radio frequency spectrum allocations. Managed bilateral consultations and development of U.S. positions for WARC 1992.

Chaired working group on FCC negotiated rulemaking committee dealing with low earth orbiting satellites.

Chaired international working group on satellites that prepared orbit spectrum requirements for mobile satellite services and evaluated systems for maritime safety.

Participated in preparatory activities leading to the establishment of the International Maritime Satellite Organization (INMARSAT). Developed national rules introducing maritime satellite service in the U.S.

Coordinator for International Telecommunications Satellite Organization (INTELSAT) and INMARSAT affairs at State Department and earlier at the Federal Communications Commission. Developed instructions for the Communications Satellite Corporation (COMSAT), the U.S. private sector entity to INTELSAT and INMARSAT. First government representative to participate in the INTELSAT Board of Governors meetings. Delegate to the INTELSAT and INMARSAT Assemblies and other government expert meetings.

Participated in preparatory activities leading up to the 1979 General World Administrative Conference. U.S. spokesman for frequency allocations for TV and FM broadcasting, mobile radio, radars, and government communications.

Developed national rules concerning land mobile radio, including non-voice communications, automatic vehicle monitoring systems (AVM), and microwave systems.

Planned, directed, and responsible for management of the procurement of a major system simulator for the U.S. Marine Corps Tactical Data System.

PAPERS AND SPEECHES

Instructor, Spectrum Management, United States Telecommunications Training Institute. Washington, D.C., 1995-96. Topic: Spectrum Management

Speaker, American Institute of Aeronautics and Astronautics. San Francisco, CA, November 1993. Topic: Radio Frequency Spectrum Coordination of Low-Earth Orbiting Satellites, GPS, GLONASS and RadioAstronomy.

Panelist, National Ocean Industries Association Annual Meeting. Washington, D.C. April 1992. Topic: Results of the WARC 1992.

Panelist, International Small Satellite Organization. Washington, D.C. May 1992. Topic: Spectrum Allocation and Licensing.

Speaker, Cellular Telecommunications Industry Association. Cancun, Mexico, September, 1992. Topic: Cellular Communications in the Americas.

Co-Chair, Workshop of the Institute of Electrical and Electronic Engineers Denver, CO, October 1992. Topic: Results of WARC 1992.

Panelist, Satellite Communications Users Conference. San Jose, CA, 1991. Topic: Washington Roundup.

Speaker, Radio Technical Commission for Aeronautics, Washington, D.C., December 1990. Topic: Aviation Related Radio Spectrum Policy.

Panelist, Japanese Satellite Industry Association. Tokyo, Japan. May, 1989. Topic: The Evolution of Mobile Satellite Service-Technical Service Aspects.

Co-Chair, Institute of Electrical and Electronic Engineers Workshop on Mobile Communications and Radio Communications by Satellite. Miami, FL, November, 1988.

Speaker at United States Information Agency Seminar on International Information and Communication Policy in the 1980's. Washington, D.C., 1982.

INTERGOVERNMENTAL CONFERENCES AND MEETINGS.

1996

- **US/Canada: delegation leader border coordination of digital audio broadcasting, mobile telemetry; satellite digital audio radio, microwave systems; delegation leader, US/Canada coordination concerning entry of Guam and CNMI into the North American Numbering Plan.**
- **CITEL Committee on Radio Communications U.S. Representative. Brasilia, Brazil.**
- **Participated on delegation regarding framework for satellite coordination. Brasilia, Brazil.**
- **Participated on delegation meeting with European and Japanese government and industry concerning future advanced mobile communications systems. Dallas, Texas.**

1995

- U.S. Representative, International Telecommunication Union (ITU) Radiocommunication Assembly. Geneva, Switzerland.
- U.S. Representative, ITU Radiocommunication Advisory Group. Geneva.
- U.S. Representative, ITU Radiocommunication Sector Study Group on Mobile and Mobile-Satellite Services. Geneva.
- U.S. Representative, CITELE - Radiocommunications. Venezuela.
- Home Team Coordinator, World Radio Conference 1995.
- U.S. delegation leader, US/Canada border coordination of digital audio broadcasting, mobile telemetry; satellite digital audio radio, microwave systems.
- U.S. Representative, Joint Working Party on Refinement of the Radiocommunication Sector and Telecommunication Standardization Sector. Geneva.

1994

- U.S. Representative: CITELE - Radiocommunications. Ottawa, Canada.
- U.S. delegation US/Russian Federation satellite frequency coordination. Moscow.
- U.S./Canada VHF/UHF television border coordination agreement, above 30 MHz Agreement replaced U.S./Canada amendment.

1993

- Working Group Chairman, FCC Negotiated Rulemaking Committee on Low Earth Orbiting Satellites.
- U.S. Delegation US/Russian Federation satellite frequency coordination. Geneva.
- U.S. Delegation Radio-Communication Assembly.
- U.S. Representative, ITU Radiocommunication Sector Study Group on Mobile and Mobile-Satellite Services.
- U.S. Representative, CITELE. Buenos Aires, Argentina.
- U.S. Representative, CITELE. Mexico City, Mexico.

1992

- Executive Director (Technical) U.S. Delegation, ITU World Administrative Radio Conference (WARC) 1992. Torremolinos, Spain
- U.S. Delegation, US/Canada/Mexico/Russia satellite coordination. London.
- U.S. Delegation, US/Canada FM broadcasting-aeronautical radionavigation compatibility. Ottawa

1991

- U.S. Delegations, bilateral meetings, WARC 92. Germany, NATO, Venezuela, Mexico
- U.S. Delegation, US/Canada senior officials meeting. Ottawa.
- U.S. Representative, ITU Joint Working Party for WARC 92 preparations. Geneva.

1990

U.S. Representative, ITU Working Party on mobile satellite services. Melbourne
U.S. Delegation, US/UK/Russia meeting on WARC 92. London
U.S. Delegation, US/Canada broadcasting and radio agreements. Ottawa

1989

U.S. Representative, ITU Working Party on mobile satellite services. Tokyo
U.S. Representative, ITU Study Group on mobile and mobile-satellite services.
Geneva.
U.S. Delegation, ICAO Working Group on aeronautical satellites. London
U.S. Delegation, US/Canada radio agreements. Ottawa.

1988

U.S. Delegation, US/Canada/Mexico framework arrangement for satellite orbit
locations. Mexico City
U.S. Representative, ITU Working Party on FM broadcasting-aeronautical
radionavigation compatibility. Helsinki.
U.S. Representative, ITU Study Group on mobile and mobile-satellite services. Geneva

1987

Vice Chairman and Executive Director U.S. Delegation, WARC 1987. Geneva.
U.S. Delegations, bilateral meetings for WARC 87. Brazil, Argentina, Chile, Argentina,
New Zealand, Tokyo, Moscow, London, Mexico..
U.S. Delegation, US/Canada/Mexico satellite coordination. Mexico City

1979 to 1986

U.S. Representative, INMARSAT Assembly, London.
Alternate U.S. Representative, INTELSAT Assembly
Delegate, North Atlantic Facilities Consultative Meeting
Chairman, International Working Group on Mobile Satellite Communications
Alternate U.S. Representative, INTELSAT Assembly of Parties
Delegate, INMARSAT Assembly, London.
Delegate, ITU Plenipotentiary Conference, Nairobi.
Delegate, ITU meeting of experts on integrated services digital networks, Germany.
Delegate, ITU Radiocommunication Study Group on Mobile and Mobile-Satellite
Services, WARC 1983.
Delegate, ITU WARC 1979.

RECOGNITIONS and AWARDS

Letter of Appreciation from Governor of Confederated States of Micronesia 1996
Federal Communications Commission Letter of Appreciation, 1993
Department of State Group Meritorious Honor Award, 1992
Department of State Superior Honor Award 1985
Various Letters of appreciation from heads of delegation and private sector companies

James E. Hollansworth
P.O. Box 246
Rockwood, Mi 48173

PERSONAL HISTORY:

Education - Arizona State University, Tempe, Az.,
Graduated June 1969, BS in Business Administration,
Marketing Major.

Robert Morris College, Pittsburgh, Pa. , Graduated June
1966, AS in Business Administration, Marketing Major.

Marital Status - Single

Military - Member of the United States Army Reserve Rank
E-9 Sergeant Major (SGM). Position SGM of the
Directorate of Personnel and Community Activities (DPCA).

WORK EXPERIENCE:

June 1, 1969 - Present

National Aeronautics and Space Administration (NASA)
Lewis Research Center, Cleveland, Ohio 44135.

November 5, 1979 - Present. Telecommunications Specialist.
Serves as a spectrum, technical and market analyst concerned
with the development and application of advanced satellite
communication technology which is relevant to the
communications service needs of both public and private
sectors of the United States and the world in general.
Performs spectrum, technical and market analysis to
determine which system concepts are the most appropriate for
NASA technology development programs to be integrated
into government and commercial communications
applications.

Assists in program planning efforts for new communication
systems and technology development. Maintains a detailed
working knowledge of communications regulatory procedures
spectrum requirements and their relationships to new
operations requirements, technology development and
implementation..

Specific areas of activity include:

1. NASA specific Domestic and International Spectrum Management,
2. Member of Digital Audio Radio Subcommittee of the Electronic Industries Association,
3. Domestic and International participant in Study Groups 10B and 10-11S,
4. Member of the US Bilateral Committee on Discussions with Canada for L and S-band Digital Audio Radio frequency coordination,
5. Advanced Communications Technology Satellite (ACTS) Spectrum Coordination,
6. NASA Representative to IRAC AH 181 Committee, AFTRCC and RCC/FMG,
7. COTAR for the Spectrum Management Engineering Support Contract

**Western Union Telegraph Company, 1 Lake Street, Upper Saddle River, New Jersey 07446
June 1, 1969 - October 15, 1979. Manager Network Design Analysis.**

Westar/Special Systems and Services: Configures and costs commercial systems in the Voice, Data and Video services. Developed necessary software to configure and cost out customer networks within tariff restraints and customer requirements. Maintain current information on tariff and pricing philosophies of the other specialized common carriers and AT&T. Participate in the creation, design and implementation of new tariff concepts in the Voice, Data and Video services encompassing terrestrial and satellite medium. Review and approve all incoming Voice, Data, Video and alternate voice/data service requests. Work with customers to help them better understand tariff configuration and costing requirements.

PROFESSIONAL ASSOCIATIONS:

Member: Society of Satellite Professionals International, American Marketing Association, United States Power Squadron, National Rifle Association, Antique and Classic Boat Society.

RESUME

WILLIAM G. LONG, JR.

EDUCATION

MSEE, University of Iowa

BSEE, University of Iowa

EMPLOYMENT

Mr. Long has 45 years of experience in radiocommunications, which initially was in the design and installation of tropospheric scatter and microwave radio relay systems. For the past 30 years, he has been involved in satellite systems of which the past 25 years have included experience in "frequency management" in the national and international arenas. He is an active and participating member in the International Telecommunication Union Bureau of Radiocommunication Study Groups and Working Parties and the United States counterparts, and is currently the international Chairman of a Joint Working Party.

Mr. Long has been a U.S. delegate at World Radio Conferences, including 1992 and 1995. He is experienced in interference analysis and sharing studies, and in the development of sharing criteria and translating these criteria into regulatory formats for U.S. proposals to World Radio Conferences. He is very familiar with the various forms of modulation and coding, multiplexing and multiple access techniques (FDMA, CDMA, TDMA), diversity techniques (space, frequency, time), and other technical aspects of telecommunications.

At the beginning of 1993, Mr. Long became active in sharing studies involving broadcasting satellite (sound) systems and terrestrial systems sharing the same bands; i.e., the bands 1452-1492 MHz and 2310-2350 MHz, which were allocated for use by the Broadcasting Satellite (Sound) service (BSS(S)) at WARC-92. He is active in ITU-R Working Party 10-11S and its U.S. counterpart which addresses the BSS(S), and is familiar with the system characteristics being proposed for this service. He has chaired Drafting Groups at ITU-R meetings involved with sharing between the BSS(S), the mobile service (aeronautical telemetry and land mobile), and the fixed service.

H. DONALD MESSER

Dr. H. Donald Messer for the past few years has been the Broadcast Satellite Program Manager at the U.S. Information Agency's Voice of America. He has been instrumental, both in the U.S. and abroad, in furthering the possibilities for modern digital audio broadcasting. This began in 1986 when, in collaboration with the National Academy of Sciences, he helped shape in a practical way the concept of digital audio broadcasting from satellites at microwave frequencies. Since then, he has devoted most of his professional time to the goal of making digital audio broadcasting operational, both via satellite and terrestrial means. This has included defining and managing analytic and experimental activities, assisting the U.S. over a two year period in the development of its proposal for the introduction of digital audio broadcasting, and giving speeches around the world-- in Mexico, France, Spain, Finland, Czechoslovakia, Japan, Thailand, Australia, and the U.S.-- on the subject, as the world prepared for an International Telecommunications Union frequency allocations conference.

During February 1992, Dr. Messer was the U.S. delegate to the World Administrative Radio Conference on frequency allocations responsible for the digital audio broadcasting agenda item. He played a large role in the outcome. In collaboration with broadcasters and spectrum managers from other interested nations, the Conference allocated frequencies to this new broadcasting service. This overcame a major roadblock to implementing a worldwide revolution in radio broadcasting.

When he first came to the Voice of America, in 1985, he was the Director of Systems Analysis and Planning. The group's work was concentrated on making improvements in the VOA's shortwave broadcasting network. Innovative network analysis techniques were developed and applied. They led to an organized, systematic, quantitative approach to define the capital investment program for the introduction of new transmission stations around the world for the VOA, and for the upgrading of existing VOA shortwave stations.

For two years, in part as a public service, Dr. Messer was the Executive Director of a non-profit behavioral research institute. The institute was having financial, legal, and program difficulties. During his tenure, through financial and marketing activities he was able to conduct, the institute emerged from its difficulties, was placed on a sound financial basis, and expanded its services. Most of this was done through a new program for the institute-- providing group homes for severely and profoundly mentally retarded individuals. Other programs, such as running homes for disadvantaged youths, were strengthened.

For nearly two decades, Dr. Messer was an officer in technical and managing consulting firms, first as a vice-president at Booz-Allen and Hamilton, and then as the president of Messer Associates, until he sold the latter firm to a larger consulting firm. During these

years, his work was principally with organizations that had complex technical and regulatory responsibilities. Chief among them were the Internal Revenue Service, the U.S. Postal Service, the Environmental Protection Agency, the Interior Department, and various organizations within the Public Health Service (FDA, NIH, ADAMHA). Much of the work he directed in a consulting role capacity was eventually implemented by the client organizations. These included major reorganizations of the planning, evaluation, and work scheduling of the field operations of the FDA and the health and safety portions of the Bureau of Mines, numerous improvements in postal operations that relied on complex statistical simulation of these operations for the USPS, recommendations on drug abuse treatment centers, and a complete revamping of the IRS's physical distribution system for both its public and internal forms.

During this period, he was a lecturer on topics such as the development of information systems for program evaluation purposes and productivity improvement methods for a full range of job categories-- from routine clerical tasks to professional activities.

Before his consulting career, he held positions in research and development units within the aerospace industry. He was a staff scientist working on ferroelectric and semiconductor photoconductivity initially. He progressed to assistant chief engineer for systems engineering at Fairchild (Hagerstown). Analysis and developments engaged in included digital sonar, guidance and other flight control systems, and side-looking radar systems.

He holds a Dr. Eng. from The Johns Hopkins University in Applied Mathematics and Physics (thesis on inventory control systems), an M.S. in Theoretical Physics from Cornell University (thesis on photoconductivity in semiconductors), and a B.S. in Engineering Physics from New York University (magna cum laude).

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RON KLINK, PENNSYLVANIA
BART STUPAK, MICHIGAN
ELIOT L. ENGEL, NEW YORK

U.S. House of Representatives
Committee on Commerce
Room 2125, Rayburn House Office Building
Washington, DC 20515-6115

September 20, 1996

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JAMES E. DERDERIAN, CHIEF OF STAFF

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20036

Dear Chairman Hundt:

I am writing with respect to the Commission's consideration of "Pioneer Preference" grants for applicants in the Digital Audio Radio Service (DARS). It has come to my attention that the Commission has convened a group of government employees who have agreed to act as a "peer review" panel to evaluate the applications for a "Pioneer Preference" designation.

As you know, Section 309(j) of the Communications Act [47 U.S.C. 309(j)] requires that applications be reviewed and verified by "experts in the radio sciences." In order to ensure that we have confidence in the expertise of the group that you have convened to review the satellite DARS applications, please furnish me with the credentials and qualifications of each member of the group.

In addition, I am also aware that several parties, including American Mobile Satellite Corp., Primosphere Limited Partnership, and Digital Satellite Broadcasting Corp. have each submitted filings containing material that is clearly relevant to the panel's evaluation of the applications for "Pioneer Preference" designations. Please take whatever steps are necessary to ensure that the panel members have access to these recent filings and sufficient time to ensure their thorough review.

I look forward to hearing from you on this matter.

With every good wish.

Sincerely,



JOHN D. DINGELL
RANKING MEMBER