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November 21, 1996

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:

Representatives of the 2 GHz MSS Coalition, which includes COMSAT Corporation ("COMSAT"), ICO Global Communications ("ICO"), Hughes Electronics ("Hughes"), Celsat America, Inc. ("Celsat"), and Personal Communications Satellite Corporation ("PCSAT"), met today with Julius Genachowski, legal advisor to Chairman Reed Hundt. Members of the MSS Coalition present at the meeting were John S. Hannon on behalf of COMSAT; Michael Wroblewski on behalf of Hughes; Lon Levin on behalf of PCSAT and Kumar Singarajah and the undersigned on behalf of ICO. The primary purpose of the briefing was to discuss the MSS Coalition's stated position in the above-referenced docket as reflected in the attached briefing materials.

Pursuant to Commission rule, §1.1206(a), an original and one copy of this letter are being filed with the Office of the Secretary for placement in the public record.

Sincerely,



Cheryl A. Tritt

Attachments

cc: Julius Genachowski (w/attachments)

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**2 GHz MSS COALITION PRESENTATION  
ET Docket No. 95-18**

**I. TIME IS RIPE TO ALLOCATE 70 MHz OF SPECTRUM FOR MOBILE SATELLITE SERVICES AT 2 GHz AS AGREED BY WRC-95 CONFEREES**

- U.S. was driving force in obtaining allocation in U.S. and Canada and accelerating the availability of global spectrum from 2005 to 2000.
- U.S. success based on international recognition that MSS systems will provide substantial public benefits and that sharing between MSS systems and fixed microwave licensees in same band is feasible for an extended period.
- International regulatory entities expect prompt FCC allocation of spectrum.

**II. BY YEAR END FCC SHOULD:**

- Allocate the 1990-2025 MHz band to MSS on a primary basis, and the 2165-2200 MHz band to MSS on co-primary basis.
- Open a filing window for 2 GHz MSS systems.
- Defer decision on :
  - imposition of "emerging technology" docket relocation rules. 2 GHz coalition firmly believes that rules are unnecessary because: 1) sharing with fixed providers is possible for extended period and 2) imposition of overwhelming relocation costs will inhibit development of international MSS services in this band. TIA joint satellite/fixed provider committee has been constituted since coalition filing and is actively pursuing sharing issue rendering near term FCC decision on relocation rules premature.
  - Relocation issue can be reviewed when Commission opens a proceeding to develop service rules for MSS.
  - If relocation rules are considered now by the Commission it must:
    1. emphasize the desirability of sharing spectrum and require all parties to adhere to rule of reason in addressing these issues;
    2. require relocation only where agreed criteria predicts unacceptable interference to existing networks or links; and
    3. establish a "sunset" provision similar to PCS relocation rules with an end date no later than January 1, 2005, after which existing services would become secondary.

- Require ENG licensees operating in MSS uplink bands to develop a plan, in conjunction with MSS entities, to vacate the 1990-2025 MHz band, possibly on a time-phased basis.
  - options include reducing the ENG bandwidth per channel, introducing other “operational” solutions or moving to a new spectrum assignment.
  - Globalstar has suggested possible alternative spectrum bands for ENG.