

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

RECEIVED

AUG 27 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of :)
)
ICO SERVICES LIMITED) RM No. 9328
Petition for Expedited Rule Making To)
Establish Eligibility Requirements for the)
2 GHz Mobile Satellite Service)

COMMENTS OF CELSAT AMERICA, INC.

Celsat America, Inc. ("Celsat"), by undersigned counsel, hereby submits the following comments on the Petition for Expedited Rule Making to Establish Eligibility Requirements for the 2 GHz Mobile Satellite Service filed by ICO Services Limited on July 17, 1998 (the "Petition").

Celsat supports ICO's proposal in the Petition that the Commission should (i) expeditiously establish eligibility requirements for spectrum at 2 GHz to provide mobile satellite service ("MSS"), (ii) immediately license new entrants (i.e., those entities not currently assigned spectrum to provide MSS) that satisfy these initial eligibility requirements, (iii) adopt further technical and band sharing rules in a subsequent phase of the rule making proceeding and (iv) in that subsequent phase, authorize any additional eligible 2 GHz MSS applicants.¹ As ICO properly noted in the Petition, this approach will promote competition by bringing new entrants into the MSS marketplace at the earliest possible date.² Conversely, as noted by ICO, permitting incumbent MSS licensees (e.g., Big LEO licensees such as Iridium, TRW, Globalstar, Constella-

¹ Petition at p. 2.

² Id.

Number of Copies rec'd
A B C D E

045

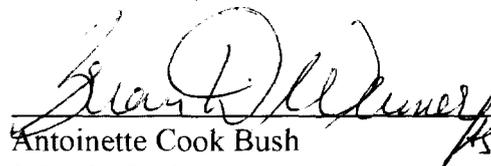
FB

tion Communications, Inc., and Mobile Communications Holdings, Inc., as well as TMI and Inmarsat) to obtain additional MSS spectrum at 2 GHz will stifle competition by precluding qualified new entrants such as Celsat from entering the market and competing on an equal footing. Celsat strongly supports ICO's proposal to expeditiously authorize new entrants to provide MSS at 2 GHz.³ In order to fully realize the benefits to American consumers of the affordable MSS service that Celsat is ready to provide, the FCC should promptly initiate a rule making and adopt ICO's new entrant proposal.

Respectfully submitted,

CELSAT AMERICA, INC.

By:



Antoinette Cook Bush

John C. Quale

Brian D. Weimer

Skadden, Arps, Slate, Meagher & Flom LLP

1440 New York Avenue, N.W.

Washington, D.C. 20005-2111

(202) 371-7000

Its Attorneys

Dated: August 27, 1998

³ While Celsat agrees that the Commission should initiate an expedited rule making, it cannot support all elements of ICO's proposed package of rules appended to the Petition as Attachment A. Celsat's concerns, which relate to the proposed band segmentation plan and geographic scope of service, can be fully addressed in the rule making and pose no impediment to the immediate initiation of the proceeding.

CERTIFICATE OF SERVICE

I, Carly B. Tolchin, hereby certify that on this 27th day of August, 1998, copies of the foregoing "Petition for Expedited Rule Making" were served by hand delivery on the following parties:

Chairman William Kennard
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, D.C. 20554

Commissioner Harold Furchtgott-Roth
Federal Communications Commission
1919 M Street, NW, Room 802
Washington, D.C. 20554

Commissioner Michael K. Powell
Federal Communications Commission
1919 M Street, NW, Room 884
Washington, D.C. 20554

Commissioner Susan Ness
Federal Communications Commission
1919 M Street, NW, Room 832
Washington, D.C. 20554

Commissioner Gloria Tristani
Federal Communications Commission
1919 M Street, NW, Room 826
Washington, D.C. 20554

Christopher J. Wright
General Counsel
Federal Communications Commission
1919 M Street, N.W., Room 614
Washington, D.C. 20554

Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Regina Keeney, Chief
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

James R. Ball
Associate Bureau Chief
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Robert Calaff
Senior Counsel
Office of the Bureau Chief
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Rebecca Arbogast
Senior Legal Advisor
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Fern Jarmulnek
Chief, Satellite Policy Branch
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Rosalee Chiara
Deputy Chief
Satellite Policy Branch
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Linda Haller
Senior Legal Advisor
Satellite and Policy Branch
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Tom Tycz, Chief
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Cassandra Thomas
Deputy Chief
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Karl Kensinger, Special Advisor
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

John Martin
Acting Chief
Satellite Engineering Branch
Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Christopher Murphy
Satellite Policy Branch
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

Alexander Royblat
Satellite Engineering Branch
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Suite 800
Washington, D.C. 20554

International Transcription Service
1231 20th Street, N.W.
Washington, D.C. 20036


Carly B. Tolchin