DOCKET FILE COPY ORIGINAL

RECEIVED

SEP 11 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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	)	

To: The Commission

REPLY COMMENTS OF IRIDIUM, LLC

IRIDIUM LLC

F. Thomas Tuttle
Vice President and General Counsel
Patricia A. Mahoney
Assistant General Counsel,
Regulatory and Trade Policy
Brent H. Weingardt
Counsel, Regulatory Affairs
IRIDIUM LLC
1575 I Street, N.W. - 8th Floor
Washington, D.C. 20005
(202) 408-3800

Thomas J. Keller
Julian L. Shepard
VERNER, LIIPFERT, BERNHARD,
MCPHERSON, AND HAND, CHARTERED
901 - 15th Street, N.W.
Suite 700
Washington, D.C. 20005-2301
(202) 371-6000

Counsel to Iridium, LLC

September 11, 1998

No. of Copies rec'd 0+4
List ABCDE IB

TABLE OF CONTENTS

I. INTRODUCTION 2

II. ICO'S FUNDAMENTAL PREMISE IS FLAWED 3

III. THE COMMISSION CANNOT LAWFULLY BIFURCATE THE PROCESSING OF APPLICATIONS AS ICO HAS REQUESTED 6

IV. ICO's "NEW ENTRANT" PROPOSAL WOULD NOT PROMOTE NEW COMPETITION 9

V. CONCLUSION 13

SUMMARY

Iridium LLC replies to the Comments and Oppositions of other parties in response to ICO Services Limited's Petition for Rule Making.

ICO's investors, under the name of the ICO USA Service Group, wrongly suggest that the Commission's 2 GHz process has been delayed. From this faulty premise, they urge the Commission to terminate a licensing process that has just begun and adopt and extraordinarily preclusive "new entrant" policy that will benefit their investment interest to the detriment of other qualified applicants. Even other commentors who generally support "new entrant" preferences cannot support ICO's attempt to fashion a qualification rule for its benefit. Ironically, even under a comprehensive "new entrant" standard as proposed by the FCC in its second Little LEO processing round and apparently supported by ICO and its investors, ICO itself would not qualify as a new entrant. The ICO investors' attempt to preempt the ongoing application process through a truncated rulemaking and conditional licensing for ICO would violate the standards of fairness and due process in existing case precedent.

The Commission should dismiss ICO's petition and instead move forward with the processing and licensing of the pending 2 GHz applications consistent with its established satellite processing procedures.

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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	)	

To: The Commission

REPLY COMMENTS OF IRIDIUM, LLC

Iridium LLC, ("Iridium"), by its attorneys, and pursuant to Section 1.405(b) of the Commission's rules, 47 C.F.R. § 1.405(b), hereby respectfully replies to the Comments and Oppositions of other parties in the above-captioned proceeding. Comments and Oppositions to the above-captioned Petition for Expedited Rule Making ("Petition") of ICO Services Limited ("ICO Services")[1/] were filed by eight parties, including Iridium.[2/] ICO Services did not file Comments in support of its own Petition; however, ICO USA Service Group (IUSG), a newly formed consortium of telecommunications oriented

---

1/ Section 1.405(b) of the Commission's rules provides for a reply within 15 days after the filing of such statements. 47 C.F.R. § 1.405(b).

2/ *See* Comments of Iridium LLC ("Iridium"); Comments of the ICO USA Service Group ("IUSG"); Comments of North American GSM Alliance LLC ("GSM Alliance"); Comments of TMI ("TMI"); Comments of Celsat America, Inc. ("Celsat"); Opposition of Constellation Communications, Inc. ("Constellation"); Comments of Globalstar, L.P. ("Globalstar"); Opposition of Mobile Communications Holdings, Inc. ("MCHI").

companies that are investors in the 2 GHz satellite system planned by ICO, submitted Comments in support of the Petition.[3/]

ICO's investors wrongly suggest that the Commission's 2 GHz process has been delayed. From this faulty premise, they urge the Commission to terminate a licensing process that has just begun and adopt and extraordinarily preclusive "new entrant" policy that will benefit their investment interest to the detriment of other qualified applicants. Even other commentors who generally support "new entrant" preferences cannot support ICO's attempt to fashion a qualification rule for its benefit. Ironically, even under a comprehensive "new entrant" standard, ICO itself would not qualify as a new entrant. The ICO investors' attempt to preempt the ongoing application process through a truncated rulemaking and conditional licensing for ICO would violate the standards of fairness and due process in existing case precedent.

I. INTRODUCTION

In its Initial Comments, Iridium demonstrated that the ICO Services Petition is contrary to the public interest and does not consider the varying needs and proposals of the 2 GHz applicants or the competing concerns and considerations that the Commission must balance in assigning spectrum to applicants for MSS in the 2 GHz bands. Iridium and all of the other commenting parties support a prompt rulemaking proceeding to establish rules for 2 GHz MSS. However, among the Comments and

---

3/ All references herein to "ICO" refer to both ICO Services, the Petitioner, and ICO USA, the commenting party.

Oppositions there is overwhelming opposition to both ICO's self-serving proposals for service rules and for ICO's preferential "new entrant" application-processing procedure.[4] There is similarly nothing to substantiate ICO Services' fundamental premises that 2 GHz MSS application processing is not moving forward expeditiously, or that the Commission has failed to implement 2 GHz MSS as quickly as it has implemented other similar services in the past.

Iridium's Comments and the submissions of other parties demonstrate that preferential expedited processing of ICO's application is unwarranted and would unlawfully prejudice the rights of virtually all the other applicants in this processing round.

II. ICO'S FUNDAMENTAL PREMISE IS FLAWED

The fundamental premise of the ICO Services' petition and IUSG Comments is that urgent action is needed because: (1) six years have passed since spectrum was allocated for MSS and no entity has yet been authorized to provide MSS in the U.S.; and (2) ICO "has taken concrete and significant steps towards meeting its goal of commencing 2 GHz MSS service in the U.S. in the year 2000." ICO contends that the expedited action it seeks is "critical to the timely commencement of its MSS system."[5]

4/ Iridium and others similarly oppose Celsat's and the GSM Alliances' support of a new entrant policy.

5/ To the best of Iridium's knowledge, ICO does not yet have a space segment license from any country and has very few other licenses. Thus, the absence of a U.S. license at this time is not unusual or significant. It is ICO that by its public statements has created the misperception that the U.S. will not license the ICO system.

ICO's protestations are misleading. For the record, WARC-92 [6] allocated 1610-1626.5 MHz and 2483.5-2500 MHz to global MSS -- the "Big LEO" bands -- which the Commission has since licensed.[7] That spectrum was available without restrictions on date of availability or relocation of exsiting users; and the Commission commenced its Big LEO allocation and licensing proceedings in accord with the timing of global 1.6/2.4 GHz MSS spectrum availability.

The 2 GHz allocation has a very different history. WARC-92 allocated 1980-2010 MHz and 2170-2200 MHz to global MSS, but this allocation was not to become effective until January, 2005.[8] It was not until late 1995 that the date of availability of the global 2 GHz MSS global allocation was moved forward to the year 2000.[9] In 1995, the Commission commenced its 2 GHz allocation proceeding, ET 95-18 and the Commission commenced its Big LEO allocation and licensing proceedings in accord with the timing of global MSS spectrum availability. Thus the Commission commenced its 2 GHz MSS allocation proceeding in a timely manner. Only three years have passed since WRC-95 addressed the 2 GHz MSS allocation. Moreover, one additional

---

6/ ICO was spun-off from Inmarsat in December, 1994, and, therefore, did not even exist in 1992.

7/ *See e.g.*, Final Acts of the World Administrative Radio Conference for Dealing With Frequency Allocations in Certain Parts of the Spectrum (WARC-92), Magala-Torremolinos, 1992, Footnotes 731E and 753F.

8/ The US was the only administration to adopt an effective date for its 2 GHz MSS spectrum allocation prior to 2005. Lack of support from rest of world rendered US allocation useless for global MSS operations.

9/ See Final Acts of WRC-95, Geneva, 1995 Footnote S5.389A.

significant distinction between the Big LEO and the 2 GHz MSS spectrum exists -- the 2 GHz MSS bands are already in use and existing users must be relocated. Over the last three years, the Commission has made substantial progress by adopting the domestic 2 GHz MSS spectrum allocation, soliciting 2 GHz MSS applications and letters of intent, and building a record of petitions and comments on those applications.

Furthermore, the current timeline for the Commission's implementation of the 2 GHz MSS spectrum does not appear to be remarkably different from the timeline for implementation of other global services by the Commission -- including the implementation of MSS in the Big LEO Bands. For example, the Big LEO Bands were the subject of Motorola's Petition for Rule Making dating back December, 1990. The cut-off for Big LEO applications was June 3, 1991,[10/] and the first licenses were not granted until January 31, 1995[11/] -- a process that consumed more than four years overall, and three and one-half years after the application cut-off date.[12/] In contrast, not even a year has passed since the application cut-off date for this processing round.

10/ Satellite Applications Acceptable For Filing; Cut-Off Established For Additional Applications, *Public Notice*, 6 FCC Rcd 2083 (1991).

11/ *See e.g.*, Application of Motorola Satellite Communications, Inc. for Authority to Construct, Launch, and Operate a Low Earth Orbit Satellite System in the 1616-1626.5 MHz Band, DA 95-131, *Order and Authorization*, 10 FCC Rcd 2268 (1995).

12/ In contrast, the United Kingdom, ICO's and IUSG member BT's home administration, did not grant the Iridium Big LEO system authority for fully six years after the Big LEO bands were allocated by WRC-92. Mexico, ICO USA member Telecom de Mexico's home administration, and other ICO investors' home administrations, have yet to license Iridium.

Clearly ICO's fundamental premise is flawed. Moreover, ICO's impatience with the process completely ignores the Commission's many recent successes in facilitating applicant-negotiated solutions to complex technical issues and mutually exclusivity, which have proven expedient in bringing new service to the public, while promoting competition and conserving the Commission's resources. There is no justification for departing or deviating from the Commission's precedent and procedures, which have proven successful.[13/]

III. THE COMMISSION CANNOT LAWFULLY BIFURCATE THE PROCESSING OF APPLICATIONS AS ICO HAS REQUESTED

In its Comments, which Iridium supports, Globalstar correctly identifies several fundamental legal flaws in ICO's request that the Commission "bifurcate" the processing of applications by processing applications by "new entrants" on an expedited basis.[14/] As noted in Iridium's Comments and the submissions of Constellation, TMI and Globalstar, the Commission could not solely consider the ICO application in isolation and grant it on an expedited basis, even conditionally, without prejudice to the other applicants in the 2 GHz MSS processing round.[15/] The vast spectrum resources requested in ICO's application -- up to 35 MHz of spectrum for Earth-to-space links and 30 MHz for Space-to-earth

---

13/ *See also* Opposition of Constellation at 3.

14/ *See* Globalstar Comments at 6-9.

15/ *See* Iridium Comments at 12; Constellation Opposition at 2; Comments of Globalstar at 8; and Comments of TMI at 2.

links[16] -- if granted in whole or in part, would impose severe constraints on the other applicants, likely precluding the grant of many of the remaining applications. In order to grant ICO's application, the Commission must give comparative consideration to all the other mutually exclusive applications that were filed before the cut-off date in this processing round.[17] To fail to do so would be contrary to law.[18]

While the Commission has the authority to limit eligibility for specific services, the Commission must also treat all applicants in the processing round in an equal manner. Accordingly, the Commission's practice to date in other services in which "new entrant" eligibility restrictions have been adopted or proposed has been to adopt such restrictions before applications are filed pursuant to a Cut-Off Notice.[19] Thus, bifurcation of the processing round into essentially two separate processing rounds, after the Cut-Off Notice has issued and applications have been accepted, would create two separate processing rounds thereby retroactively changing the initial applicant

---

16/ *See* ICO Letter of Intent at 15.

17/ Unless and until the Commission can determine that ICO's application is not mutually exclusive with other applications, given ICO's spectrum request, it must be presumed to be so.

18/ *Ashbacker Radio Corp. v. FCC*, 326 U.S. 327 (1945) ("*Ashbacker*").

19/ See Amendment of the Commission's Rules to Establish New Personal Communications Services, *Memorandum Opinion and Order*, 9 FCC Rcd 4957 (June 13, 1994) ¶¶ 102-104 (restricting cellular licensee eligibility for PCS licenses before the Cut-Off Notice for applications was released); *See also* Allocation of Spectrum Below 5 GHz, *First Report and Order and Further Notice of Proposed Rule Making*, 10 FCC Rcd 4769 (Feb. 17, 1995) ¶83.

eligibility requirements already adopted for this processing round.[20] ICO has failed to explain how the Commission lawfully could at this point in time narrow the initial applicant eligibility for this processing round in light of the fact that the Commission invited applications for this 2 GHz MSS processing round without any such restrictions."[21] Clearly, the 2 GHz MSS Cut-Off Notice did not limit eligible applicants to "new entrants."[22] Moreover, the Cut-Off Notice explicitly invited "new applications to construct, launch, and operate U.S. licensed space stations to provide mobile satellite service in accordance with the Commission's 2 GHz Allocation Order."[23] Indeed, at the time when 2 GHz MSS applications were requested by the Commission, the Commission already had established initial eligibility to apply for 2 GHz MSS authority to include Big LEO licensees.[24]

As with other new services, certain other eligibility criteria such as financial qualifications may be adopted by the Commission in the future after applications have

---

20/ Essentially, the qualified "new entrants" would be the only applicants to remain in this processing round, while all the other applicants would be kicked out of this processing round into far less advantageous second processing round.

21/ Report No. SPB-88, DA 97-1550, 12 FCC Rcd 10446 (July 22, 1997).

22/ On the contrary, it was clear from the Cut-Off Notice that all subsequent FCC rule changes that might limit applicant eligibility were to be of a nature that would permit those applicants filing by the cut-off date to "be afforded an opportunity to amend their applications, if necessary, to conform with any requirements and policies that may be adopted subsequently." Adoption of a "new entrant" eligibility restriction for this processing round would not permit the applicants to amend their applications to conform and to remain a part of this processing round.

23/ Report No. SPB-88, DA 97-1550, 12 FCC Rcd 10446 (July 22, 1997).

24/ *See* Iridium Comments at 10; and Globalstar Comments at 2.

been accepted. In such event, consistent with precedent, applicants will have an opportunity to amend their applications to demonstrate that they satisfy any such criteria. However, a retroactive change in the initial application eligibility criteria that would eliminate some applicants or create two separate processing rounds and relegate some applicants to a future round would not treat all of the applicants in this processing round equitably, and would deny them due process.[25/]

IV. ICO's "NEW ENTRANT" PROPOSAL WOULD NOT PROMOTE NEW COMPETITION

The majority of commenting parties joined Iridium in squarely opposing any new entrant preference for access to the 2 GHz band. As Globalstar correctly observed, a new entrant criterion would not necessarily result in new competition.[26/] Even the GSM Alliance, which generally supported the concept, would not have the Commission adopt the "new entrant" definition advocated by ICO.[27/]

Under ICO's "new entrant" definition, Iridium would clearly qualify as a "new entrant," because ICO defines "new entrants" as those entities seeking access to the 2 GHz MSS frequencies "that are not already authorized in the United States at the time

---

25/ If the Commission were to grant ICO's request by indulging in the fiction that a single processing round remained in tact as it provided expedited processing for qualified "new entrant" applications, for reasons stated above, such action could not be squared with the requirements of *Ashbacker.*

26/ Comments of Globalstar at 4.

27/ Comments of GSM Alliance at note 6. The GSM Alliance contends that the new entrant definition should incorporate a reasonable affiliation or attribution standard. Otherwise, entities with substantial ownership by existing MSS licensees could inappropriately claim bona fide new entrant status, just as ICO has.

of their filing to access other spectrum allocated to MSS".[28] Iridium LLC is not licensed to access any MSS spectrum in the United States. Even so, Iridium opposes adoption of any new entrant preference in this proceeding. As other commentors have observed, ICO's apparent goal here is to give one private company -- ICO -- a substantial benefit at the expense of other applicants with no public interest justification.[29] Iridium urges the Commission to reject ICO's "new entrant" preference outright.

IUSG obviously endorses the new entrant proposal, contending that it will enhance competition. However, it is clear that ICO's artful definition of "new entrant" may include ICO but does not enhance competition because it ignores affiliates of the applicant or other interests that could or should be attributable to the applicant. Once such attributable interest are considered, ICO could never be viewed as a new entrant. For example, under the Little LEO affiliation standard cited by the GSM Alliance, ICO would not qualify as a new MSS entrant in the United States. There, the Commission defined an affiliate of an MSS licensee as (1) an entity that directly or indirectly controls or influences a licensee; (2) an entity that is directly or indirectly controlled or influenced by a licensee; or (3) an entity that is directly or indirectly controlled or

---

28/ ICO Petition at Attachment A, page 1.

29/ Globalstar at 7.

influenced by a third party or parties that also has the power to control or influence a licensee.[30/]

Thus, under the Little LEO new entrant policy of which ICO Services appears to approve, ICO would be deemed to hold an affiliation with at least three entities holding substantial MSS interests in the United States: Hughes Electronics; Inmarsat; and COMSAT. Hughes Electronics owns approximately a five (5) percent equity stake in ICO and has other extensive links to ICO.[31/] Inmarsat is the largest single shareholder in ICO, with approximately a 10 percent direct investment and has numerous governance and contractual links with ICO.[32/] In addition, over 80 percent of ICO's

---

30/ Amendment of Part 25 of the Commission's Rules to Establish Rules and Policies Pertaining to the Second Processing Round of the Non-Voice, Non-Geostationary Mobile Satellite Service, IB Docket No., 96-220, *Notice of Proposed Rulemaking*, 11 FCC Rcd 19841, 19845 (1996). The Commission recognized that even non-controlling or equity interests by a competing MSS company could influence an MSS applicant by challenging business decisions, threatening litigation, refusing to provide additional capital or insisting upon audits. Therefore, the Commission proposed, inter alia, to attribute to the holder of any interest of five (5) percent or more, whether voting or non-voting, an interest in the pending applicant for purposes of a "new entrant" analysis. In addition, the Commission proposed to attribute the positional interests of officers and directors and provide for attribution based upon certain management, joint marketing and joint operating agreements. Id. at 19848.

31/ ICO characterizes Hughes Electronics as one of its "key strategic investors." Hughes Communications, Inc. is the largest single investor with approximately 27 percent of the common stock in American Mobile Satellite Corporation (AMSC), the FCC licensee of the U.S. MSS system operating in the L-band. Hughes Space and Communications will construct, launch and initially operate all of ICO's satellites and TT&C facilities under a sole source contract. Hughes Network Systems will provide a significant portion of ICO's ground network. Hughes is eligible to operate as and is considering being an ICO service provider.

32/ ICO characterizes Inmarsat as one of its "key strategic investors." Inmarsat is the licensee and operator of the world's only operating global MSS network. Inmarsat is authorized to provide access to maritime and aeronautical MSS space segment over

other investment comes from Inmarsat Signatories or affiliates of Signatories. COMSAT holds approximately a 1.55 percent equity interest in ICO.[33/]

Even a cursory review of ICO's business relationships, governance and ownership indicates that ICO is affiliated with entities that are authorized to access other MSS spectrum in the United States. A new entrant policy that would ignore such substantial interests is obviously not designed to enhance competition.

---

the U.S. for distribution by its Signatories. Inmarsat currently has a Letter of Intent pending with the Commission to provide land mobile MSS services in the U.S. in the 2 GHz band. Inmarsat appoints two members of ICO's Board of Directors. The majority of ICO's Directors are either Directors of Inmarsat, employees of Inmarsat or employees of Inmarsat's Signatories. Inmarsat has entered into a non-compete agreement with ICO preventing Inmarsat from competing in the handheld MSS market segment. Inmarsat holds a service contract with ICO as well as an exclusive distribution agreement. *See* ICO Global Registration Statement at 88; Consolidated Comments and Petition to Deny of Iridium LLC in File Number 188-SAT-LOI-97 (ICO Services Limited 2 GHz LOI), May 4, 1998 at 19-27. In fact, the Commission has already determined that ICO is an affiliate of Inmarsat. "[A]n IGO affiliate is an entity created by an IGO. In which an IGO and IGO signatories maintain ownership interests. ICO falls within our definition of an IGO affiliate." Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States, *Report and Order*, 12 FCC Rcd 24094, 24154, n.283 (1998) ("DISCO II Report and Order").

33/ Through its 22 percent interest in Inmarsat and its role as the U.S. operating entity (Signatory) in Inmarsat, COMSAT provides exclusive access to Inmarsat MSS space segment capacity in the United States. COMSAT has contracted to provide ICO gateway Earth Station facilities in the United States.

V. CONCLUSION

As demonstrated in Iridium's Comments and the submissions of other parties, ICO's Petition is unnecessary, disruptive and contrary to the public interest. Accordingly, the Commission should promptly dismiss ICO's Petition.

Respectfully submitted,

Iridium LLC

By: _____

Thomas J. Keller
Julian L. Shepard
VERNER, LIIPFERT, BERNHARD,
MCPHERSON, AND HAND, CHARTERED
901 - 15th Street, N.W.
Suite 700
Washington, D.C. 20005-2301
(202) 371-6000

Counsel to Iridium, LLC

F. Thomas Tuttle
Vice President and General Counsel
Patricia A. Mahoney
Assistant General Counsel,
Regulatory and Trade Policy
Brent H. Weingardt
Counsel, Regulatory Affairs
Iridium LLC
1575 I Street, N.W. - 8th Floor
Washington, D.C. 20005
(202) 408-3800

September 11, 1998

CERTIFICATE OF SERVICE

I, Andrew S. Hoenig, a secretary for the law firm of Verner, Liipfert, Bernhard, McPherson, and Hand, Chartered, hereby certify that this eleventh (11th) day of September, 1998, I caused a copy of the foregoing "Reply Comments of Iridium, LLC" to be sent, by first class United States Mail, postage prepaid (* or by hand delivery), to each of the following:

The Honorable William E. Kennard*
Chairman
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Room 814
Washington, D.C. 20554

The Honorable Harold Furchtgott-Roth*
Commissioner
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Room 802
Washington, D.C. 20554

The Honorable Michael Powell*
Commissioner
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Room 844
Washington, D.C. 20554

The Honorable Susan Ness*
Commissioner
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Room 832
Washington, D.C. 20554

The Honorable Gloria Tristani*
Commissioner
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Room 826
Washington, D.C. 20554

Christopher J. Wright, Esquire*
General Counsel
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Room 614
Washington, D.C. 20554

Regina Keeney*
Chief, International Bureau
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 830
Washington, D.C. 20554

James L. Ball*
Associate Bureau Chief
International Bureau
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 820
Washington, D.C. 20554

Mindy Ginsburg*
Associate Bureau Chief
International Bureau
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 8180
Washington, D.C. 20554

Rebecca Arbogast*
Senior Legal Advisor
International Bureau
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 800
Washington, D.C. 20554

Thomas S. Tycz*
Chief, Satellite and
Radiocommunications Division
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 811
Washington, D.C. 20554

Cecily Holiday*
Deputy Chief, Satellite and
Radiocommunciations Division
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 520
Washington, D.C. 20554

Cassandra Thomas*
Deputy Chief, Satellite and
Radiocommunication Division
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 810
Washington, D.C. 20554

Fern Jarmulnek*
Chief, Satellite Policy Branch
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 518
Washington, D.C. 20554

Rosalee Chiara*
Deputy Chief, Satellite Policy Branch
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 516
Washington, D.C. 20554

Linda Haller*
Senior Legal Advisor
Satellite Policy Branch
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 800
Washington, D.C. 20554

John Martin*
Electronics Engineer
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 507
Washington, D.C. 20554

Damon Ladson*
Deputy Chief, Planning and
Negotiations Division
FEDERAL COMMUNICATIONS COMMISSION
2000 M Street, N.W.
Room 521
Washington, D.C. 20554

Cheryl A. Tritt, Esquire
Susan H. Crandall, Esquire
MORRISON & FOERSTER, LLP
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1886
Counsel for ICO Services Limited

Francis D.R. Coleman
Director Regulatory Affairs - North
America
ICO GLOBAL COMMUNICATIONS
1101 Connecticut Avenue, N.W.
Suite 550
Washington, D.C. 20036

Warren Grace
Director General
INMARSAT
99 City Road
London EC1Y 1AX
United Kingdom

Antoinette Cook Bush, Esquire
John C. Quale, Esquire
SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005-2111
Counsel for Celsat America, Inc.

Robert A. Mazer, Esquire
Albert Shuldiner, Esquire
VINSON & ELKINS, L.L.P.
1455 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-1008
Counsel for Constellation Communications, Inc.

Joseph P. Markoski, Esquire
Herbert E. Marks, Esquire
David A. Nall, Esquire
Bruce A. Olcott, Esquire
SQUIRE, SANDERS & DEMPSEY L.L.P.
P.O. Box 407
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20044-0407
Counsel for The Boeing Company

Peter D. Sloane, Esquire
Office of the Group Counsel
Information, Space & Defense
Systems Group
The Boeing Company
P.O. Box 3999, M/S 84-10
Seattle, WA 98124-2499

Gregory C. Staple, Esquire
KOTEEN & NAFTALIN, L.L.P.
1150 Connecticut Avenue, N.W.
Washington, D.C. 20036
Counsel for TMI Communications and Company, Limited Partnership

William D. Wallace, Esquire
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Counsel for Globalstar, L.P.

Tom Davidson, Esquire
Phil Marchesiello, Esquire
AKIN, GUMP, STRAUSS, HAUER
& FELD, LLP
1333 New Hampshire Avenue, N.W.
Suite 400
Washington, D.C. 20036
Counsel for Mobile Communications Holdings, Inc.

*INTERNATIONAL TRANSCRIPTION SERVICE
1231 20th Street, N.W.
Washington, D.C. 20037

John L. Bartlett, Esquire
WILEY, REIN & FIELDING
1776 K Street, N.W.
Washington, D.C. 20006-2304
Counsel for Aeronautical Radio, Inc.

James G. Pachulski, Esquire
1320 North Court House Road
Eighth Floor
Arlington, VA 22201
Counsel for Bell Atlantic

Nils Rydbeck
Vice President Research &
Development
Chief Technical Officer
ERICSSON MOBILE PHONES &
TERMINALS
7001 Development Drive
Research Triangle Park, NC 27709

Denis Couillard, Chairman
Eric Schimmel, Vice President
TELECOMMUNICATIONS INDUSTRY
ASSOCIATION
2500 Wilson Boulevard
Suite 300
Arlington, VA 22201

Leonard R. Raish, Esquire
FLETCHER, HEALD & HILDRETH, P.L.C.
11th Floor
1300 N. 17th Street
Rosslyn, VA 22209
Counsel for Telecommunications Industry Association

Robert J. Miller, Esquire
Emily S. Barbour, Esquire
GARDERE & WYNNE, L.L.P.
1601 Elm Street
Suite 3000
Dallas, TX 75201
Counsel Telecommunications Industry Association

Peter A. Rohrbach, Esquire
Karis A. Hastings, Esquire
HOGAN & HARTSON L.L.P.
555 Thirteenth Street, N.W.
Washington, D.C. 20004
Counsel for GE American Communications, Inc.

Philip V. Otero, Esquire
Senior Vice President and General Counsel
GE AMERICAN COMMUNICATIONS, INC.
Four Research Way
Princeton, NJ 08540

John P. Janka, Esquire
LATHAM & WATKINS
1001 Pennsylvania Avenue, N.W.
Suite 1300
Washington, D.C. 20004-2505
Counsel for Hughes Communications Galaxy, Inc.

Gary M. Epstein, Esquire
John P. Janka, Esquire
James H. Barker, Esquire
LATHAM & WATKINS
1001 Pennsylvania Avenue, N.W.
Suite 1300
Washington, D.C. 20004
Counsel for Hughes Electronics Corporation

Gerald Musarra
Senior Director, Commercial Policy & Regulatory Affairs
Space & Strategic Missiles Sector
LOCKHEED MARTIN CORPORATION
1725 Jefferson Davis Highway
Suite 403
Arlington, VA 22202-4127

Raymond G. Bender, Esquire
Carlos M. Nalda, Esquire
DOW, LOHNES & ALBERTSON, PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036
Counsel for Lockheed Martin Corporation

Jill Abeshouse Stern, Esquire
Sr. Vice President and General Counsel
Gerald B. Helman, Esquire
Vice President, International and Governmental Affairs
MOBILE COMMUNICATIONS HOLDINGS, INC.
Two Lafayette Center
1133 Twenty-first Street, N.W.
Washington, D.C. 20036

Philip L. Spector, Esquire
Jeffrey H. Olson, Esquire
Patrick S. Campbell, Esquire
Kira A. Merski, Esquire
PAUL, WEISS, RIFKIND, WHARTON
& GARRISON
1615 L Street, N.W.
Suite 1300
Washington, D.C. 20036
Counsel for Mobile Communications Holdings, Inc.

Philip L. Spector, Esquire
Jeffrey H. Olson, Esquire
Diane C. Gaylor
PAUL, WEISS, RIFKIND, WHARTON
& GARRISON
1615 L Street, N.W.
Suite 1300
Washington, D.C. 20036
Counsel for Skybridge L.L.C.

Mark A. Grannis, Esquire
HARRIS, WILTSHIRE & GRANNIS LLP
1200 Eighteenth Street, N.W.
Washington, D.C. 20036
Counsel for North American GSM Alliance LLC & Teledesic LLC

Henry Goldberg, Esquire
Joseph A. Godles, Esquire
Mary J. Dent, Esquire
W. Kenneth Ferree, Esquire
GOLDBERG, GODLES, WIENER & WRIGHT
1229 Nineteenth Street, N.W.
Washington, D.C. 20036
Counsel for PanAmSat Corporation

Benjamin J. Griffin, Esquire
REED, SMITH, SHAW & MCCLAY
1301 K Street, N.W., East Tower
Suite 1100
Washington, D.C. 20005
Counsel for Primestar Partners, L.P.

Marvin Rosenberg, Esquire
HOLLAND & KNIGHT
2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20037
Counsel for United States Satellite Broadcasting Company, Inc.

Karen E. Watson, Esquire
Director, Government Relations
ECHOSTAR COMMUNICATIONS
CORPORATION
1850 M Street, N.W.
Suite 1070
Washington, D.C. 20036

Paul J. Sinderbrand, Esquire
William W. Huber, Esquire
WILKINSON, BARKER, KNAUER
& QUINN, LLP
2300 N Street, N.W.
Washington, D.C. 20037-1128
Counsel for The Wireless Cable Association International, Inc.

Norman P. Leventhal
Walter P. Jacob
Philip A. Bonomo
LEVENTHAL, SENTER & LERMAN PLLC
2000 K Street N.W.
Suite 600
Washington, D.C. 20006
Counsel for ICO USA Service Group

September 11, 1998

Andrew S. Hoenig