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SAN FRANCISCO
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SACRAMENTO
ORANGE COUNTY
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WALNUT CREEK
DENVER

ATTORNEYS AT LAW

2000 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006-1888
TELEPHONE (202) 887-1500
TELEFACSIMILE (202) 887-1500

NEW YORK
LONDON
BRUSSELS
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HONG KONG
SINGAPORE
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September 18, 1998

EX PARTE OR LATE FILED

Writer's Direct Contact
(202) 887-1510
critt@mofa.com

Via Hand Delivery

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

Re: **EX PARTE**
ET Docket No. 95-18

Dear Ms. Salas:

Yesterday, September 17, 1998, Francis Coleman, director of regulatory affairs, ICO Global Communications, North America ("ICO"); Norman Leventhal, counsel for ICO USA Service Group ("Service Group"); Peter Hadinger, director, telecommunications policy, TRW; and the undersigned met with Rebecca Dorch, Charles Iseman and Sean White of the Office of Engineering and Technology ("OET") and Chris Murphy and Karl Kensinger of the International Bureau to discuss the status of the above-captioned proceeding.

ICO and the Service Group also discussed their joint request to the Commission to seek information from incumbent licensees operating in the 1990-2025 MHz frequency band regarding the status of their equipment and their use of these frequency bands. At the request of staff, the parties also agreed to provide the attached document regarding Office of Management and Budget review of information collection requests.

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Two copies of this letter have been submitted to the Secretary of the Commission for inclusion in the public record, as required by Section 1.1206(b)(2) of the Commission's rules.

Sincerely,



Cheryl A. Tritt
Counsel for ICO Global Communications

Attachment

cc: Rebecca Dorch
Charles Iseman
Sean White
Chris Murphy
Karl Kensinger

**TIMELINES FOR OMB REVIEW OF
PROPOSED COLLECTIONS OF INFORMATION**

I. OMB Review of Collections of Information Not Included in Proposed or Current Rules

- A. FCC appoints officer from Office of the Managing Director to serve as Senior Official overseeing collection of information [time frame not specified]
- B. FCC publishes Public Notice in Federal Register seeking public comment on need for collection of information [1-2 weeks between submission and publication]
- C. 60 day public comment process

[If FCC does not publish copy of proposed collection of information and related instructions as part of Public Notice, it must provide *more* than 60 day notice to permit public to obtain same]
- D. FCC submits to OMB supporting statement certifying that collection of information is necessary, with copies of Public Notice from Federal Register and FCC draft order [on or before date of I.E.]
- E. FCC publishes notice in Federal Register stating FCC is seeking OMB approval for collection of information [1-2 weeks between submission and publication]
- F. OMB reviews FCC submission and, if it approves, assigns OMB control number indicating such approval [30-60 days]
- G. In appropriate cases, after consultation with FCC, OMB may initiate informal rule making proceeding to determine whether proposed collection of information satisfies statutory standards [time frame unpredictable]
- H. If OMB fails to act within 60 days, FCC may request, and OMB must assign, control number indicating approval

Total length of process: Approximately 140 days

Note 1: Additional time may be required if OMB requests modifications to proposed collection of information or initiates informal rule making proceeding.

Note 2: Commission may override by majority vote any OMB decision disapproving proposed collection of information.

Note 3 FCC may request emergency processing by OMB of a proposed collection of information. OMB is required under such circumstances to approve or disapprove the proposal within any time frame requested by the FCC, provided that such time frame is consistent with the purposes of OMB regulations

III. OMB Review of Collections of Information Included in Proposed Rules

- A. Appointment of officer from FCC Office of the Managing Director to serve as Senior Official overseeing collection of information [time frame not specified]
- B. FCC issues NPRM, notifying public of proposed collection of information
- C. On or before date of publication of NPRM in I.I.D., FCC files with OMB request for approval of proposed collection of information
- D. NPRM comment process [FCC specifies length, which can vary greatly]
- E. OMB review process [concurrent with NPRM comment process] [30-60 days]
- F. OMB may file comments on FCC NPRM or approve collection of information without comments.
- G. If OMB files comments, FCC must address same in its final rule.
- H. If OMB approves proposal without conditions, or fails to comment within 60 days, it may assign OMB control number indicating approval.
- I. FCC submits final rule to OMB
- J. OMB reviews FCC final rule and approves, requests modification or disapproves collection of information [30-60 days]
- K. In appropriate cases, after consultation with FCC, OMB may initiate informal rule making proceeding to determine whether proposed collection of information satisfies statutory standards.

- L. After receiving OMB decision on proposal, FCC publishes Public Notice in Federal Register notifying public of same

Total length of process: Difficult to estimate, given significant variation in length of FCC rule making proceedings [sometimes one year or more]

Note 1: Additional time may be required if OMB requests modifications to proposed collection of information or initiates formal rule making proceeding.

Note 2: Commission may override by majority vote any OMB decision disapproving proposed collection of information.