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January 14, 1999

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Ms. Magalie R. Salas  
Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: Amendment of Parts 2 and 25 of the Commission's Rules  
to Designate Extended C-Band Spectrum for TT&C  
Functions of GSO FSS Systems Operating in Bands  
Above Ku-Band, RM No. 9411**

Dear Ms. Salas:

GE American Communications, Inc. ("GE Americom"), by its attorneys, hereby responds to the comments of other parties with respect to the above-captioned proceeding.<sup>1</sup> GE Americom urges the Commission to initiate a rulemaking proceeding on an expedited basis to designate extended C-band spectrum for tracking, telemetry & control ("TT&C") functions for spacecraft operating in the bands above Ku-band.

GE Americom was among the parties to the Petition for Rulemaking filed August 7, 1997 requesting the allocation of extended C-band spectrum for TT&C operations (the "Joint Petition"). GE Americom is the licensee of a Ka-band GSO system, and also has pending before the Commission an application for a V-

<sup>1</sup> Reply comments were originally scheduled to be filed on January 7, 1999. However, Hughes Communications Galaxy, Inc. submitted on December 22, 1998 a request for extension of that deadline until January 14. That request was unopposed.

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band GSO system. Availability of TT&C spectrum is critical for both of these systems.

The record before the Commission reflects unanimous support for the TT&C rulemaking request and clearly justifies the expeditious initiation of a proceeding to implement the proposal.<sup>2</sup> GE Americom shares the concerns expressed by other parties, however, concerning the recent Notice of Proposed Rulemaking issued by the Commission.<sup>3</sup> The *Extended C-Band NPRM* proposes to allocate spectrum in the 3650-3700 MHz band to terrestrial fixed services and would freeze earth station licensing in that band. The *NPRM* thus directly conflicts with the allocation of extended C-band spectrum requested in the Joint Petition. Furthermore, the *NPRM* does not even acknowledge the conflict or otherwise refer to the long-standing request of satellite licensees for TT&C spectrum in the extended C-band. The Commission must correct this apparent oversight by ensuring that further proceedings resulting from the *NPRM* take into account the TT&C spectrum requirements of satellite carriers.

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<sup>2</sup> Lockheed Martin, Loral Space & Communications, Ltd., and TRW all filed comments supporting the rulemaking request.

<sup>3</sup> See *Amendment of the Commission's Rules with Regard to the 3650-3700 MHz Government Transfer Band*, ET Docket No. 98-237, FCC 98-337 (rel. Dec. 17, 1998) ("*Extended C-Band NPRM*" or "*NPRM*").

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The Commission should act now to begin a rulemaking proceeding that is responsive to the Joint Petition. In addition, the Commission should not take any action with respect to the *Extended C-Band NPRM* that would have the effect of prejudging the outcome of the Joint Petition.

Respectfully submitted,



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