

ING BARINGS

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March 4, 1999

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Re: **EX PARTE**
ET Docket No. 95-18
RM-9328 /

Dear Ms. Salas:

We understand from our ongoing discussions with ICO Global that the Commission staff desires a better understanding of the level of certainty investment banks generally require regarding a satellite operator's licensing status before a bank would be willing to provide a satellite operator with financing. In other words, as we understand it, the Commission staff wishes to know whether an investment bank would require a satellite operator to have a specific frequency assignment or license from the FCC before the company would be considered an eligible candidate for financing. We take this opportunity to provide the Commission with our investment bank's response to this question.

In deciding whether to offer financing or assistance in obtaining financing to any prospective satellite service provider, we generally consider a number of factors including regulatory status. An operator does not necessarily require government assurances that it will have access to specific spectrum frequencies as a precondition for financing or assistance in obtaining financing. We generally would be willing to seek to provide financing to a satellite operator that can demonstrate that it has a reasonable likelihood of obtaining access to a sufficient amount of appropriate spectrum to operate its proposed satellite system, as long as the operator satisfies other important business criteria.

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Any undertaking on the part of our investment bank to finance a satellite operator would first require that the enterprise be viable in all relevant business respects. In general we would require that a prospective client have a sound business plan including, in many cases, existing sources of equity financing, strong strategic partners, and competent management. A project that meets all these criteria could be financed if the company has a reasonable chance of receiving regulatory approval.

We hope our views with respect to this issue are of assistance to the Commission. Two originals and 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,

Satellite Industry Group
ING Baring Furman Selz, LLC

cc: Rebecca Dorch
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