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SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

1440 NEW YORK AVENUE, N.W.

WASHINGTON, D.C. 20005-2111

TEL: (202) 371-7000

FAX: (202) 393-5760

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March 30, 1999

**RECEIVED**

**MAR 30 1999**

Ms. Magalie Roman Salas  
Secretary

Federal Communications Commission  
The Portals, 445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Northpoint Technology's **Notice of Ex Parte  
Presentation Meeting** Regarding ET Docket  
No. 98-206/ RM-9147, RM-9245

Dear Ms. Salas:

Northpoint Technology Ltd. ("Northpoint") hereby submits for filing in the above-referenced docket its notice of a meeting on March 29, 1999. Sophia Collier and Katherine Reynolds of Northpoint, Antoinette Cook Bush and Eric C. Broyles of Skadden, Arps, Slate, Meagher & Flom LLP met with Thomas Sugrue, Diane Cornell, D'Wana Terry and Kathleen O'Brien Ham of the Wireless Telecommunications Bureau to discuss the above-referenced Rulemaking proceeding, Northpoint's pending license applications and Northpoint's experimental license (FCC call sign WA2XMY). Ms. Collier presented background information on Northpoint including a chronology of events with the FCC,<sup>1</sup> described the successful testing of the experimental system, and answered technical questions from the FCC staff. In addition, Ms. Collier urged the FCC to move expeditiously by granting Northpoint's and its BroadwaveUSA affiliates' pending license applications.

In accordance with Section 1.1206 of the Commission's Rules, the original and one copy of this notice are being filed with the Secretary, and an additional copy is being served on all parties involved.

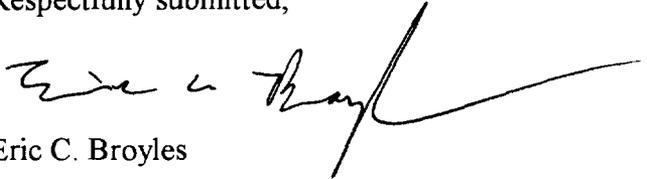
<sup>1</sup> Attached as Exhibit 1.

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Please date-stamp the attached duplicate upon receipt and return it via the messenger for our records. If any questions arise concerning this matter, kindly contact the undersigned.

Respectfully submitted,



Eric C. Broyles

cc: Sophia Collier  
Katherine Reynolds  
Thomas Sugrue (WTB)  
Diane Cornell (WTB)  
Kathleen O'Brien Ham (WTB)  
D'Wana Terry (WTB)

## **EXHIBIT 1**

### **CHRONOLOGY OF EVENTS FOR NORTHPOINT**

- In early 1994, Saleem and Carmen Tawil contacted the FCC regarding their innovation of the Northpoint technology which was designed to reuse the 12.2-12.7 GHz spectrum on a terrestrial basis to deliver local programming for DBS providers;
  - In November 1995, the Tawils, through their company DCE, applied for an experimental authorization to test the Northpoint technology;
  - In January 1996, Saleem Tawil received a patent on the Northpoint technology—U.S. Patent No. 5,483,663 (January 9, 1996) by—Saleem Tawil; The Northpoint technology is controlled by Northpoint Technology, LTD ("Northpoint");
  - In July 1997, the FCC issued an experimental authorization to authorize testing of the Northpoint technology in Kingsville, Texas (Experimental License WA2XMY, File No. 5020-EX-PL-95, granted July 8, 1997);
  - In July 1997, SkyBridge filed a petition for rulemaking requesting that the FCC amend Parts 2 and 25 of its rules to permit NGSO FSS systems to operate in the 10.7-12.7 GHz band for NGSO space-to-earth links (downlinks) and in the 12.75-13.25 GHz, 13.75-14.5 GHz, and 17.3-17.8 GHz bands for earth-to-space (uplinks).
  - In August 1997 SkyBridge submitted an application to provide NGSO FSS service in the Ku-Band;
  - In January 1998, Northpoint filed a progress report with the FCC detailing the successful test results on the first round of experimental testing of the Northpoint technology;
  - In March 1998, Northpoint filed a petition for rulemaking to modify Section 101.147(p) of the Commission's rules to authorize subsidiary terrestrial use of the 12.2-12.7 GHz band;
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- In July 1998, the FCC granted a modified experimental license for the testing of the Northpoint technology in Austin, Texas (Experimental License WA2XMY, File Nos. 6001-EX-MR-1998, granted July 20, 1998);
- In November 1998, the FCC issued a cut-off notice for applications and letters of intent in the 12.75-13.25 GHz, 13.75-14.5 GHz, and 17.3-17.8 GHz uplink bands and the 10.7-12.7 GHz downlink bands (Report No. SPB-141, rel. Nov. 2, 1998);
- In November 1998, the FCC released a Notice of Proposed Rulemaking regarding the amendment of Parts 2 and 25 of the Commission's rules to permit operation of NGSO FSS systems with GSO and terrestrial systems in the Ku-band and amendment to the Commission's rules to authorize subsidiary terrestrial use of the 12.2-12.7 GHz band (ET Docket No. 98-206; RM-9147; RM-9245, FCC 98-310, rel. Nov. 24, 1998) ("NPRM");
- In January 1999, Northpoint submitted applications in response to the FCC's cut-off notice for applications and letters of intent in the 12.75-13.25 GHz, 13.75-14.5 GHz, and 17.3-17.8 GHz uplink bands and the 10.7-12.7 GHz downlink bands; and
- In January 1999, Northpoint filed a progress report on the successful testing of the Northpoint technology in an urban environment (Austin, Texas) under its modified experimental authorization;
- In March 1999, Northpoint submitted comments in response to the NPRM.