

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
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Direct Access to the)
INTELSAT System)
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IB Docket No. 98-102
File No. 60-SAT-ISP-97

NOTICE OF EX PARTE RULE VIOLATION AND MOTION TO STRIKE

Pursuant to Section 1.1214 of the Commission's rules, COMSAT Corporation ("COMSAT") hereby submits evidence of a violation of Section 1.1203(a) of the Commission's rules. As a consequence of this violation, COMSAT also moves to strike the 27-page *ex parte* filing submitted on September 9, 1999 by Alfred Mamlet of Steptoe & Johnson on behalf of the Satellite Users Coalition in the above-referenced proceeding.

Under Section 1.1203(a) of the Commission's rules, "all presentations to decision-makers concerning matters listed on a Sunshine Agenda ... are prohibited" during the period between the release of a public notice placing a matter on the Sunshine Agenda and either a resolution of the matter by the Commission or the issuance of a public notice returning the matter to the staff for further consideration.¹ In plain violation of this rule, on the day following release of the Commission's Sunshine Notice with respect to the above-captioned

¹ 47 C.F.R. § 1.1203.

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proceeding, the September 9 *ex parte* filing was served on the following decision-makers: Bob Calaff, Dan Connors, Ari Fitzgerald, Adam Krinsky, Peter Tenhula, and Donald Abelson. These decision-makers were not present at the meeting on September 8 that occurred prior to release of the Sunshine Notice and hence, have been the subject of a presentation in clear violation of the FCC's rules. Accordingly, COMSAT hereby moves to strike the filing from the record of the above-referenced proceeding.

Respectfully submitted,

COMSAT Corporation

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September 10, 1999

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September, 1999, I caused copies of the foregoing Notice of Ex Parte Rule Violation and Motion to Strike to be hand-delivered to the following:

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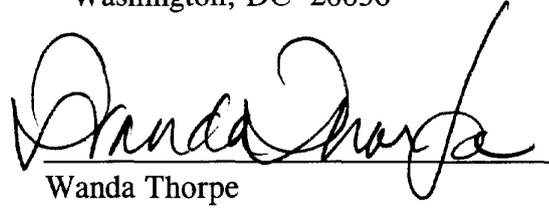
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