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April 21, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Via Hand Delivery

Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th St., S.W., Room TW-B204
Washington, D.C. 20554

Re: Ex Parte File Nos. ET Docket No. 98-206,
48-SAT-P/LA-97, 89-SAT-AMEND-97,
130-SAT-AMEND-98

Dear Madam Secretary:

This letter is written on behalf of SkyBridge LLC ("SkyBridge"), in response to an ex parte filing made by Northpoint Technology, Inc. ("Northpoint") on March 30, 2000.^{1/} Accompanying the Northpoint March 30 Letter is a lengthy attachment entitled "The Northpoint EPFD Mask" ("Annex"), which includes an attached Appendix. As demonstrated below, Northpoint's use of this "EPFD mask" is misleading.

In the Annex, Northpoint presents a comparison between: (1) the level of protection its terrestrial system allegedly offers to GSO BSS systems; and (2) the EPFD limits agreed to at the WRC-2000 Conference Preparatory Meeting ("CPM") in November 1999 with regard to the protection of GSO BSS systems by NGSO FSS systems. By proffering this comparison, Northpoint grossly misconstrues the protection level provided to DBS services by NGSO FSS systems.

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^{1/} See Letter to Magalie Roman Salas, Secretary, from David H. Pawlik, Counsel for Northpoint, dated March 30, 2000 ("Northpoint March 30 Letter").

Magalie Roman Salas, Secretary

April 21, 2000

A fundamental principle of the EPFD limits adopted at the CPM, after 2-1/2 years of work within the ITU-R process, is to limit the interference from NGSO FSS systems into GSO BSS receivers, without regard to either the DBS receiver's location or pointing angle.^{2/} The EPFD limits generated by Northpoint, as proposed in its Annex, appear to be at variance with the requirement that the limits are a function of a percentage of time, and not dependent on the location of the DBS receiver.^{3/} Northpoint's attempt to compare the EPFD mask concocted in the Annex with the NGSO EPFD mask adopted at the CPM is misleading and completely invalid. The former is dependent on the location of a given DBS receiver site. The latter establishes an envelope which assures a level of protection for all DBS receivers, regardless of location.

To compare levels of protection to DBS systems offered on the one hand by NGSO FSS and on the other hand by Northpoint, it is necessary to conduct the analysis on a site-by-site basis, because the level of protection offered by Northpoint is area-dependent. The attached graph illustrates the EPFD limits agreed to by the CPM for NGSO FSS, and the different levels proposed by Northpoint as a function for the percentage area of its service zone.^{4/} Each level can be tested against the protection criterion defined by the BSS community.^{5/} Based on the attached graph, it appears that, in most of Northpoint's service area, the level of protection provided by Northpoint's proposed EPFD mask would not meet the standard approved at the CPM.

The above explanation clarifies the nature and scope of the EPFD limits endorsed at the CPM. They provide a global standard of protection for DBS systems, and cannot meaningfully be converted into a location-dependent criterion. Indeed, in the proceedings which culminated in the CPM agreement, the DBS operators specifically rejected an approach similar to the one now proffered by Northpoint, as it was deemed inadequate to protect the 45 cm receive antenna commonly deployed in the United States. The wisdom of reopening this debate at this juncture is not clear.

^{2/} The only exception to this principle relates to high latitude areas, such as Alaska, where a different EPFD mask may be used to accommodate the use of a larger DBS receive antenna.

^{3/} See Northpoint Annex at 5, 8, and attached Appendix at 4.

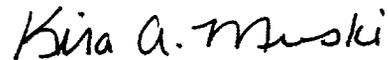
^{4/} See Northpoint Annex at 4.

^{5/} Document ITU-R SG 11/136. This Document contains a Draft New Recommendation adopted by Study Group 10-11, and will be presented to the Radiocommunication Assembly (May 1-6, 2000, in Istanbul) for final approval.

Magalie Roman Salas, Secretary
April 21, 2000

If there are any questions regarding this matter, please contact the undersigned.

Respectfully submitted,

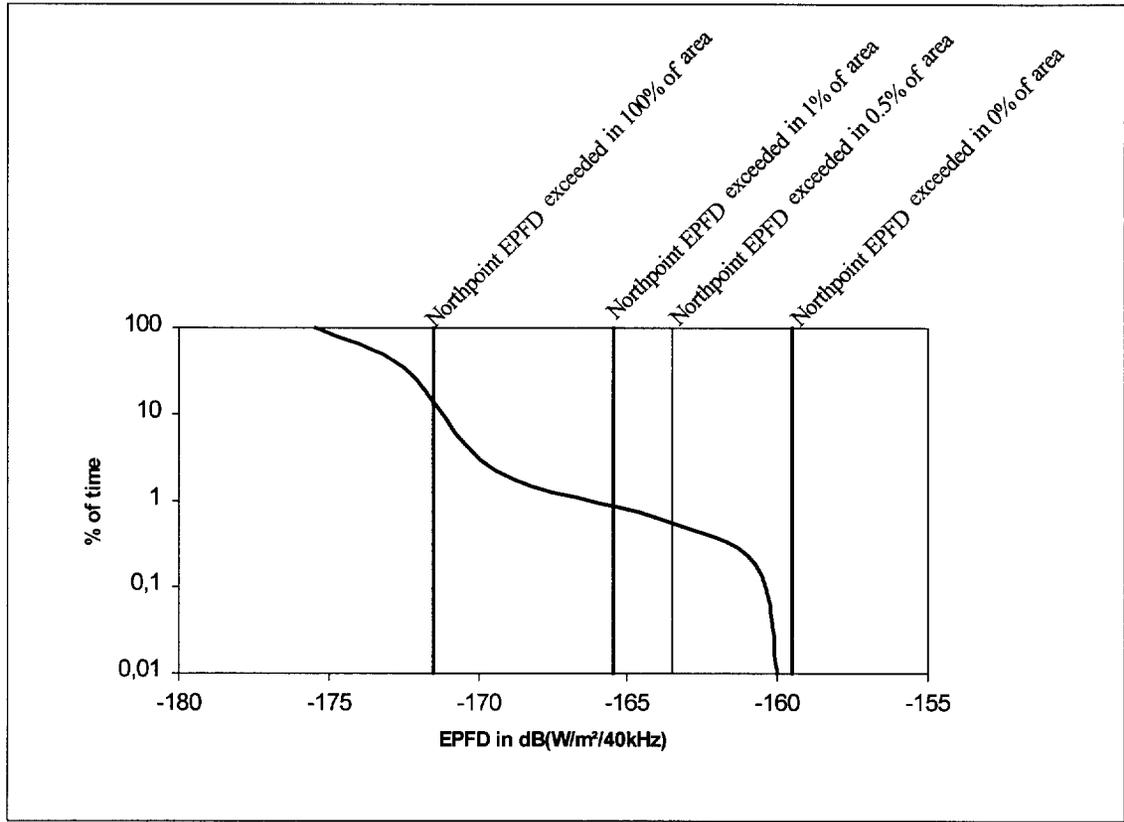


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Attachment

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Comparison of the protection levels provided by a NGSO FSS system and Northpoint to DBS on a site by site basis