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October 3, 2000

ORIGINAL

Magalie Roman Salas, Secretary
Federal Communications Commission
Room TW-A325
445 12th Street, S.W.
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Presentation by Final Analysis Communication Services, Inc. and the Satellite Industry Association; ET Docket 99-255

Dear Ms. Salas:

On behalf of Final Analysis Communication Services, Inc. ("Final Analysis"), you are hereby notified that on October 2, 2000, representatives of Final Analysis and the Satellite Industry Association made an oral presentation to Peter Tenhula, Senior Legal Advisor to Commissioner Michael Powell. Representing Final Analysis were: Patricia A. Mahoney, Vice President Regulatory Policy; Alan Renshaw, Director Frequency Management; and Randall W. Sifers and the undersigned on behalf of Final Analysis. Representing the Satellite Industry Association was Clayton Mowry, its Executive Director.

Final Analysis addressed matters already reflected in its Petition for Reconsideration of the Report and Order in the above-captioned proceeding concerning the allocation of frequencies around the 1.4 GHz bands to a new wireless medical telemetry service ("WMTS") and its Petition for Rulemaking seeking a domestic allocation for non-voice, non-geostationary mobile-satellite service ("NVNG MSS") downlink feeder link spectrum in the 1429-1432 MHz band (and uplink feeder link spectrum in the 1390-1393 MHz band). Final Analysis also raised a possible solution, not contained in its earlier filings. Specifically, Final Analysis would be willing to modify its request that the Commission allocate the entire 3 MHz at 1429-1432 MHz on a primary basis for NVNG MSS downlink feeder links in order to achieve the result the Commission intended in the above-referenced proceeding. Final Analysis stated that it believes a domestic allocation of 2 MHz at 1430-1432 MHz would be sufficient to accommodate its needs in the United States for additional downlink feeder link spectrum. This modification would

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allow the Commission to shift the allocation that was recently made to WMTS from 1429-1432 MHz to 1427-1430 MHz, preserving the overall amount of spectrum allocated to WMTS. Most importantly, adoption of the amended proposal serves the public interest because it will allow both WMTS and the Little LEO industry to achieve their objectives and it would ensure that NVNG MSS is even further removed from the radio astronomy services operating in the 1400-1427 MHz band.

The WMTS industry, which actually previously had recommended an allocation to WMTS in the 1427-1429 MHz band, would not be inconvenienced because equipment has not yet been designed for the new allocation in the 1.4 GHz band. Also, this slight change in the WMTS allocation would preserve the flexibility for the Commission to award a domestic allocation to NVNG MSS in the 1430-1432 MHz bands, consistent with the position advocated by the U.S. government and achieved at the recently concluded International Telecommunication Union ("ITU") 2000 World Radiocommunication Conference ("WRC-2000") in Istanbul and thus maximize the efficiency of the use of this scarce spectrum resource.

Pursuant to Section 1.1206 of the Commission's Rules, an original and one copy of this letter are submitted for inclusion in the public record for the above-captioned proceeding. Please direct any questions concerning this submission to the undersigned.

Sincerely,



Aileen A. Pisciotta
Counsel to
Final Analysis Communication Services, Inc.

cc: Peter Tenhula