

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Redesignation of the 17.7 – 19.7 GHz)	IB Docket No. 98-172
Frequency Band, Blanket Licensing of)	RM-9005
Satellite Earth Stations in the 17.7-20.2 GHz)	RM-9118
and 27.5-30.0 GHz Frequency Bands, and the)	
Allocation of Additional Spectrum in the)	
17.3-17.8 GHz and 24.75-25.25 GHz)	
Frequency Bands for Broadcast Satellite-)	
Service Use)	

OPPOSITION TO PETITION FOR PARTIAL RECONSIDERATION

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The Independent Cable & Telecommunications Association (ICTA) represents Private Cable Operators (PCOs) which utilize the radio spectrum from 18.142 to 18.58 GHz to transmit video signals among multiple dwelling unit buildings to serve the residents that live in them. ICTA also represents the manufacturers and vendors of this microwave equipment. ICTA also represents the multiple dwelling unit building owners that provide telecommunications services to their residents. As was repeatedly stated and at length over a substantial period of time to the FCC, the use of this 440 megahertz of continuous spectrum is essential if PCOs are to provide competition with franchised cable for the benefit of these residents.

It is the view of ICTA that the International Bureau conducted an extensive, thorough and complete analysis of all related and relevant matters during the extensive rulemaking proceeding. None of the satellite companies could now rightfully assert that there was not ample opportunity to express their views or that their views were not considered. Although the adopted rulemaking may not please one or more of the satellite companies, the Final Report and Order does balance many equities and does provide for continuing and hopefully expanding competition with franchised cable provided by PCOs which, in turn, benefits many thousands of multifamily residents.

Hughes Electronics Corporation, in its Petition for Partial Reconsideration, asserts numerous legal and technical issues, none of which were ignored during the rulemaking proceeding by the International Bureau both in formal pleadings and in informal discussions between the ICTA and the satellite companies, including Hughes. Their Petition seeks actions by the FCC which, if adopted, would severely impact the totality of the adopted Report and Order and would set back not only the competitive ability of PCOs but would retard continued use and prevent the potential for growth in the efficiency of use of the 18 GHz band by numerous other private and public entities.

ICTA recognizes no adequately expressed justification in the Hughes Petition for the International Bureau or the FCC to reopen these matters which would simply prolong and confuse an already complex situation. The Hughes assertions are not new, state no issues that were not previously examined ad nauseum, do not offer any new benefit to any party other than Hughes and, if adopted, would be a set-back for many other companies.

Therefore, ICTA and its members from numerous sectors oppose adoption of any portion of the Petition for Partial Reconsideration as submitted by the Hughes Electronics Corporation.

Respectfully submitted,
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