

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

In the Matter of)	
)	
FWCC Request for Declaratory Ruling on Partial-Band Licensing of Earth Stations in the Fixed-Satellite Service That Share Terrestrial Spectrum)	IB Docket No. 00-203 RM-9649
)	
FWCC Petition for Rulemaking to Set Loading Standards for Earth Stations In the Fixed-Satellite Service that Share Terrestrial Spectrum)	
)	
Onsat Petition for Declaratory Order that Blanket Licensing Pursuant to Rule 25.115(c) Is Available for Very Small Aperture Terminal Satellite Network Operations at C-Band)	SAT-PDR-19990910-00091
)	
Onsat Petition for Waiver of Rule 25.212(d) to the Extent Necessary to Permit Routine Licensing of 3.7 Meter Transmit and Receive Stations at C-Band)	
)	
<i>Ex parte</i> Letter Concerning Deployment of Geostationary Orbit FSS Earth Stations in the Shared Portion of the Ka-band)	

REPLY COMMENTS OF BT NORTH AMERICA INC.

BT North America Inc. (“BTNA”) hereby submits its reply to the comments of other parties in response to the Notice of Proposed Rulemaking in the above-captioned proceeding, FCC 00-369 (rel. Oct. 24, 2000) (the “*NPRM*”). As BTNA explained in its initial filing, the proposed rules regarding licensing and coordination of earth stations in spectrum shared with fixed services would prevent BTNA from continuing to meet its customers’ demand for transmission services and are unnecessary. BTNA Comments at 2-5. Other commenters

support BTNA's position, demonstrating that the new rules would be unworkable and contrary to the public interest.¹

BTNA concurs in the reply comments being filed today by the Satellite Industry Association, the Satellite Broadcasting and Communications Association, the World Teleport Association, and the Aerospace Industries Association of America (collectively, the "Satellite Industry Coalition"). As the Satellite Industry Coalition explains, there is no demonstrated need for the changes proposed in the *NPRM* in response to the complaints of the Fixed Wireless Communications Coalition ("FWCC"). See Satellite Industry Coalition Reply Comments, Section I.A. Instead, the record contains detailed descriptions of the substantial harm that satellite operators and users and the many businesses and consumers that rely on satellite services would suffer if the proposals were adopted. *Id.*, Section I.B. In particular, the parties have shown that the proposed demonstrated use requirement would interfere with the ability of BTNA and other providers to respond to customer needs or restore services in the event of an outage. *Id.*, Section II.A. The demonstrated use requirement would also impose unwarranted and substantial administrative burdens on both earth station licensees and the Commission. *Id.*

BTNA also agrees with the Satellite Industry Coalition that the Commission must reject the "alternative" proposal put forth by the FWCC in its comments. *Id.*, Section IV. In fact, the FWCC's plan is virtually identical to what it initially proposed in its Petition for Declaratory Ruling, and the Commission has already rejected the proposals and denied the Petition.² The *NPRM* expressly reaffirmed the Commission's policy of full-band, full-arc

¹ See, e.g., HBO/TBS Comments at 3-4; JFL Communications Comments at 3; NCTA Comments at 2; Sprint Comments at 2-4.

² See *NPRM* at ¶ 2 (denying FWCC's request for a declaratory ruling requiring partial-band licensing of FSS earth stations).

licensing of earth stations because the policy serves important operational requirements by allowing earth station licensees to change transponders or satellites at a moment's notice. *NPRM* at ¶ 40. The FWCC's "alternative" directly conflicts with this requirement for flexibility and does not merit further consideration.

For the foregoing reasons and the reasons set forth in its initial comments, BTNA urges the Commission to reject the changes to its earth station licensing and coordination policies proposed in the *NPRM*.

Respectfully submitted,

BT NORTH AMERICA INC.

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