

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

In the Matter of	)	
	)	
2000 Biennial Regulatory Review	)	IB Docket No. 00-248
Streamlining and Other Revisions of	)	
Part 25 Of the Commission's Rules	)	

**REPLY COMMENTS OF PANAMSAT CORPORATION**

PanAmSat Corporation (“PanAmSat”) hereby replies to the comments filed on the Notice of Proposed Rulemaking (“NPRM”) in the above-captioned proceeding.

**DISCUSSION**

As reflected in its initial comments, PanAmSat applauds the Commission’s efforts to reduce the regulatory burdens associated with providing satellite communications services in the United States. PanAmSat is a party to reply comments that the Satellite Industry Association (“SIA”) is filing today, reflecting industry support – in some case with suggested modifications – for many of the Commission’s proposals. PanAmSat urges the Commission to act on these consensus items in the manner suggested in the SIA filing.

PanAmSat also expressed concern in its initial comments with some of the proposals in the NPRM. For example, the Commission has proposed that an applicant for an earth station with a non-routine antenna gain pattern may be licensed if it reduces power to a level equivalent to that produced by an antenna that is two-degree compliant. PanAmSat fears that this proposal for an “equivalent protection” power reduction standard, by eliminating the bright line between routine and non-routine earth stations, would reduce the certainty that is required to facilitate planning and coordination, and would place an unprecedented burden on the operators of potentially affected satellites.

Similarly, the Commission has proposed granting licenses for any antenna having a non-routine pattern if the applicant provides an affidavit from the operator of the satellite with which the earth station will communicate certifying that the proposed operations have been coordinated and that the operations will be taken into account in future coordination negotiations. PanAmSat is concerned that this affidavit procedure would place decisions concerning interference in the wrong hands, and would create an unfair burden for adjacent satellite operators.

Notwithstanding its concerns, PanAmSat indicated in its comments that the issues the Commission's proposals are attempting to address merit further consideration, and ideally would be resolved by the industry. To that end, PanAmSat has been working with others in an effort to achieve consensus.

The positions taken in today's SIA filing are a product of these efforts. In the short time since the comment filing date, SIA's members, in consultation with other companies, have found common ground on many of the Commission's proposals. Now the group is proceeding to examine the technical issues that remain, relating principally to earth station power and power density limits, off-axis angle requirements, and alternatives to the Adjacent Satellite Interference Analysis ("ASIA"). These issues are a high priority for PanAmSat, and the industry participants are making a sustained effort to address them in a manner that balances competing considerations. Until the Commission has the benefit of the industry's considered recommendations, it should reserve judgment on these matters.

#### **CONCLUSION**

For the reasons stated herein, the Commission should revise its Part 25 rules in the manner described in PanAmSat's comments and SIA's reply comments. Further, it

should refrain from adopting new rules addressing the issues identified above until the industry has had an opportunity to study them and, based on that study, to supplement the record in this proceeding with specific recommendations.

Respectfully submitted,

PANAMSAT CORPORATION

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