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July 5, 2001

By Hand

Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th Street, N.W.,
Washington, DC 20554

Re: Ex Parte Communication in ET Docket No. 98-206/RM-9245;
Applications of Broadwave USA et al., PDC Broadband Corporation,
and Satellite Receivers, Ltd., to provide a fixed service in the 12.2-
12.7 GHz Band; Requests of Broadwave USA et al. (DA 99-494),
PDC Broadband Corporation (DA 00-1841), and
Satellite Receivers, Ltd. (DA 00-2134) for Waiver of Part 101 Rules

Dear Ms. Salas:

This letter is written on behalf of SkyBridge LCC ("SkyBridge") in response to a written ex parte presentation filed with the Commission on June 19, 2001, by Northpoint Technology, Ltd. ("Northpoint").¹ SkyBridge wishes to correct two misleading claims made by Northpoint in the materials that accompany the Northpoint Letter.

The Northpoint Letter and accompanying materials express Northpoint's belief that its proposed terrestrial point-to-multipoint system is ready for licensing in the 12.2-12.7 GHz band, a band allocated for the primary use of direct broadcast satellite

¹ See Letter to Ms. Magalie Roman Salas, Secretary, from J.C. Rozendaal, counsel for Northpoint Technology, Ltd., dated June 19, 2001 ("Northpoint Letter").

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("DBS") and nongeostationary orbit ("NGSO") fixed satellite service ("FSS") systems. Of course, Northpoint's position is undermined by, inter alia, the unresolved interference problems that its technical proposal creates for both DBS systems and NGSO FSS systems, including SkyBridge's. With regard to Northpoint's problems with DBS operators, SkyBridge would only observe that Northpoint's claim that it has demonstrated that its system will not cause interference to DBS systems remains a matter of some controversy. With regard to Northpoint's claim that its system, as proposed, would not harm NGSO FSS systems, its assertion is simply not true.²

The last document in Exhibit B to the Northpoint Letter is a one-page chronology entitled "Background on Northpoint Application Process." There, Northpoint makes the claim, inter alia, that in July 2000, SkyBridge filed a "letter [with the Commission] saying that it can share with Northpoint." Northpoint goes on to assert that, in November 2000, the Commission "conclude[d] that . . . Northpoint can share with . . . 8 [nongeostationary] satellite applicants," including SkyBridge. Neither of these statements is entirely accurate.

With respect to the letter filed by SkyBridge in July 2000, SkyBridge did indeed file a letter with the Commission stating, inter alia, that, consistent with the strict technical parameters set out therein, SkyBridge's system could coexist with a Northpoint-type system that was operating within those technical parameters.³ The very next day, Northpoint filed a response, rejecting entirely the fundamental technical premise of SkyBridge's proposal.⁴ Since July 2000, Northpoint has continued to reject the imposition of any technical constraints on its proposed system that are essential if it is to coexist in the 12.2-12.7 GHz band with NGSO FSS systems. As SkyBridge has demonstrated in this proceeding -- without contradiction -- adoption of the technical

² As Congress previously has made clear, terrestrial systems licensed to operate in the 12.2-12.7 GHz band, such as Northpoint's, must not cause harmful interference to either DBS systems or NGSO FSS systems. See paragraph (a)(2) of the Rural Local Broadcast Signal Act, Act of Nov. 29, 1999, Pub.L. 106-113, 113 Stat. 1501, 1537; Cong. Rec. 106th Cong., 1st Session at 515014.

³ See Letter to Ms. Magalie Roman Salas, Secretary, from Jeffrey H. Olson, counsel for SkyBridge LLC, dated July 10, 2000 ("SkyBridge July 20 Letter"). A copy is appended hereto as Attachment A.

⁴ See Letter to Ms. Magalie Roman Salas, Secretary, from David H. Pawlik, Esq., counsel for Northpoint Technology Ltd., dated July 11, 2000 ("Northpoint July 11 Letter"). A copy is appended hereto as Attachment B. A copy of SkyBridge's reply to the Northpoint July 11 Letter is appended hereto as Attachment C. See Letter to Ms. Magalie Roman Salas, Secretary, from Jeffrey H. Olson, counsel for SkyBridge, dated July 13, 2000.

parameters insisted on by Northpoint would result in substantial interference to NGSO FSS systems.⁵

With respect to Northpoint's claim that, in November 2000, the Commission concluded that NGSO systems and Northpoint-type systems could coexist in the 12.2-12.7 GHz band, this too is misleading. Presumably, Northpoint is referring to the Report and Order ("R&O") and Further Notice of Proposed Rulemaking ("FNPRM") adopted that month in ET Docket No. 98-206.⁶ There, the Commission did express the view that there may be a way that Northpoint-type systems could coexist in the 12.2-12.7 GHz band with DBS and NGSO FSS systems.⁷ However, this "conclusion" was explicitly predicated on the Commission's clearly stated assumption that an appropriate regulatory scheme could be devised that would ensure that Northpoint-type operations would be benign vis-à-vis DBS and NGSO FSS operations.⁸ Whether that assumption was a correct one remains an open question in the FNPRM proceedings. To date, Northpoint has yet to accept the minimal technical constraints on its proposed operations that would enable it to coexist with, inter alia, NGSO FSS systems such as SkyBridge.⁹

Thus, despite SkyBridge's best efforts, Northpoint still remains unwilling to agree to a regulatory scheme that would ensure the viability of NGSO FSS systems. Any claims by Northpoint to the contrary are unsupported by the record; indeed, such claims are refuted by Northpoint's own prior assertions.

⁵ See, e.g., SkyBridge Comments, ET Docket No. 98-206, RM-9147, RM-9245, filed March 12, 2001, at 7-11; SkyBridge Petition for Reconsideration, ET Docket No. 98-206, RM-9147, RM-9245, filed March 19, 2001, at 11-15. Other NGSO FSS applicants, such as the Boeing Company, have made similar demonstrations.

⁶ FCC 00-418, released December 8, 2000.

⁷ R&O, ¶ 18.

⁸ The development of such a scheme was the primary purpose of the FNPRM. See id.

⁹ See SkyBridge Reply to Oppositions, ET Docket No. 98-206, RM-9147, RM-9245, filed May 4, 2001, at 2-5.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Olson', with a long horizontal line extending to the right.

Jeffrey H. Olson
Attorney for SkyBridge LLC

cc: Chairman Michael Powell
Commissioner Gloria Tristani
Commissioner Kathleen Abernathy
Commissioner Michael Copps
Commissioner Kevin Martin
Peter Tenhula, Esq.
Adam Krinsky, Esq.
Lauren Van Wazen, Esq.
Bryan Tramont, Esq.
Don Abelson
Thomas Tycz
Bruce Franca
Julius Knapp

ATTACHMENT A

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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 Ms. Salas:

SkyBridge L.L.C. ("SkyBridge") hereby submits its views on the ability of its nongeostationary orbit ("NGSO") fixed satellite service ("FSS") system and certain terrestrial point-to-multipoint ("PTM") systems to share spectrum in the 12.2-12.7 GHz band. As discussed in greater detail below, the Commission should issue a public notice or otherwise call for comment by other interested parties on the proposals made herein.

As the Commission is aware, SkyBridge has endeavored over the past two years to determine whether, and, if so, how, its NGSO system might coexist in the 12.2-12.7 GHz band with the PTM system proposed by Northpoint Technology, Ltd. ("Northpoint"). Below, SkyBridge provides the outline of a regulatory framework under which it believes that its NGSO system and Northpoint's PTM system could operate on a co-frequency basis, given certain assumptions regarding those systems and the overall interference environment. SkyBridge acknowledges, however, that this framework may or may not be adequate to meet the needs of other proposed NGSO FSS and PTM systems; the details regarding many of these systems presently on file with the Commission are inadequate for SkyBridge to make any definitive assessment in that regard.¹

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¹ SkyBridge expresses no view on whether adoption of the regulatory regime described herein would affect the ability of PTM systems to coexist with direct broadcast satellite ("DBS") systems.

Magalie Roman Salas, Secretary

July 10, 2000

I. BACKGROUND

After three years of extensive discussions in various ITU fora, rules have been adopted at the international level that define the environment in which NGSO, GSO and terrestrial systems can share spectrum at Ku-band. Because NGSO FSS systems are designed to have a worldwide coverage, it was crucial to establish a global framework for such coexistence. With regard to the 12.2-12.7 GHz band, limits of EPFD_{down} (Article S22) have been defined to protect DBS operation in, inter alia, Region 2, and limits on PFD (Article S21) have been defined to protect any terrestrial use of the band.

Northpoint has raised an additional sharing scenario at the Commission with respect to the 12.2-12.7 GHz band, which involves the interaction among its proposed PTM terrestrial system and NGSO FSS systems and DBS systems. This presents complex sharing issues. The Northpoint PTM system is designed to transmit in the side lobes and backlobes of GSO DBS receivers, which tend to point towards the south in the United States. As opposed to the GSO systems, NGSO earth stations can (and generally do) point in all directions, including in the direction of the PTM transmitter.

In order to assess the feasibility of co-frequency operations by a PTM system and a NGSO system, it is crucial to determine the envelope of the interference that can be received by the NGSO user terminals. This envelope depends on several PTM transmitter characteristics, including, inter alia: (1) the power transmitted; (2) the antenna gain; (3) the height of the transmitter; (4) the tilt of the antenna; (5) the polarization of the transmitter; (6) the density of the transmitters; and (7) the terrain profile. Terrestrial systems need a degree of flexibility in their parameters in order to deploy, as they are constrained by the terrain profile, transmitter installation restrictions, and the like. As a consequence of the number of variables that could affect any interference analysis, it appears that the most effective means of addressing this issue is to ensure an overall environment in which NGSO user terminals can operate, without regard for the particular configuration of the PTM system.

In assessing the interference environment for NGSO user terminals, the service area of each PTM transmitter should be divided into two zones:

- The “green zone,” in which the power received on the ground is low enough to permit co-frequency operation of the PTM system and the NGSO system; and
- The “red zone,” in which the interference from the PTM transmitter is too high to permit co-frequency operation of the NGSO system.

The size and the location of the red area depends on the transmission characteristics of the PTM transmitter. Based on the technical parameters available for the Northpoint PTM system, the red zone is assumed to be in the vicinity of the terrestrial transmitter.

Magalie Roman Salas, Secretary

July 10, 2000

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In order for a SkyBridge user terminal located in the vicinity of a Northpoint transmitter to have access to the SkyBridge space segment utilizing a carrier outside the 12.2-12.7 GHz band, it is required that:

- the power transmitted by a PTM system in the receiving band of the NGSO user terminal (11.7-12.7 GHz for the SkyBridge user terminals) does not saturate the RF layer of the user terminal; and
- the interference generated by the out-of-band emissions of the PTM transmitter is low enough to allow unconstrained operation of carriers available outside the band 12.2-12.7 GHz.

It is critical to limit the number of NGSO user terminals for which the choice of the carrier is constrained by PTM interference. Thus, it is essential to limit the number of user terminals located in a Red Zone. Put another way, it is crucial to ensure that, for example, 90% of any Northpoint transmitter's service zone qualifies as a Green Zone, and that the density of such transmitters will be sufficiently low to avoid creating significant overlaps, as this would increase the size/number of Red Zones.

In addition to the operational needs of NGSO systems, the needs of the PTM systems must be examined. For example, Northpoint proposes to operate with user terminals smaller than the standard antennas used by the Fixed Service ("FS") in the 12 GHz bands, and with much smaller margins. As a consequence, Northpoint seeks an additional 10 dB of protection at low elevation angles from what has been agreed internationally with respect to NGSO/FS co-channel operations, in order to protect its user terminal reception. A restriction at low elevation angles directly affects the level of power that can be transmitted at higher elevation angles. A tightening of the Article S21 limits by 10 dB would be dramatically constraining for the NGSO FSS operation.

II. PROPOSED REGULATIONS

SkyBridge is confident that the regulatory framework discussed below would provide a basis for feasible coexistence between its NGSO system and Northpoint's PTM system in the 12.2-12.7 GHz band. Obviously, many details remain to be resolved and, as noted *supra*, it remains to be seen whether other NGSO and PTM systems could coexist under such a framework. In any examination of these issues, it is critical to recall that these systems have not yet been deployed. This fact affords a measure of flexibility to the respective system designers to facilitate operations in a shared use environment, although some systems, being at different stages of their design processes, may have greater flexibility than others.

A. Constraints on PTM Operations

SkyBridge proposes that all PTM terrestrial systems be required to meet the following limits.

Magalie Roman Salas, Secretary
 July 10, 2000

1. In order to ensure full access for NGSO user terminals to carriers outside of the 12.2-12.7 GHz band, the maximum aggregate power generated by all PTM emissions in both polarizations (if used) within the 12.2-12.7 GHz band must be limited, at the input of any NGSO customer receiver, to an EPFD of $-132.1 \text{ dB(W/m}^2/4 \text{ kHz)}$, with a corresponding power limit of -68 dBm at the output of an operational NGSO earth station antenna with a gain of 31.6 dBi at 12.5 GHz .²
2. Limit the emissions of PTM transmitters out of the band 12.2-12.7 GHz to:

<i>Frequency separation from the edge of the terrestrial carrier</i>	<i>Adjacent Channel Protection</i>
In the band 12.188-12.2 GHz (0-12 MHz from the operating band) ^{3,4}	25 dB*
In the band 12.164-12.188 GHz (12-36 MHz from the operating band) ^{3,4}	35 dB*
In the bands below 12.164 GHz (>36 MHz from the operating band) ^{3,4}	$43+10 \times \log_{10}(\text{power in watt})$

* Attenuation compared to the power level of one single PTM carrier

<i>Frequency separation from the edge of the terrestrial carrier⁵</i>	<i>EPFD in the band 11.7-12.164 GHz</i>
In the bands below 12.164 GHz (>36 MHz from the operating band)	$-169.1 \text{ dB (W/m}^2/4 \text{ kHz)}$

3. Limit the power received by a NGSO user terminal from a PTM system over a large proportion of the PTM transmitter's service area⁶ (typically 90%) to a power flux of

² See SkyBridge L.L.C. Application, Appendix B to Amendment filed January 8, 1999.

³ These limits are in accordance with Section 78.103 of the Commission's Rules, 47 C.F.R. § 78.103, for out-of-band emissions for the CARS Service, as applied to a carrier bandwidth of 24 MHz.

⁴ As these levels are defined relative to the maximum power transmitted, it is necessary to define an absolute limit which protects NGSO FSS operation in the band 11.7-12.2 GHz. This limit would be an EPFD limit in the band 11.7-12.2 GHz.

⁵ The chart above defined the out-of-band emission relative to maximum power transmitted. This chart specifies the necessary EPFD limit to ensure that NGSO systems can protect their links in the band 11.7-12.2 GHz.

⁶ The service area of a PTM transmitter is the area within which user terminals can receive service. In the case of Northpoint, the service area appears to be the area within which the power received at the output of an antenna of 45 dBi (continued...)

Magalie Roman Salas, Secretary
 July 10, 2000

-106.5 dB(W/m²) in a NGSO carrier of 22.6 MHz bandwidth, or a PFD of -120 dB(W/MHz)

4. Limit the density of PTM transmitters, so that an EPFD of -135.1 dB (W/m²/ 4 kHz) is not exceeded in more than 0.2% of the service area of any PTM system.

B. Constraints on NGSO Operations

As noted above, Northpoint seeks a level of protection far in excess of that required by other terrestrial services. Nonetheless, a regulatory mechanism could be devised that would accommodate the alleged needs of such PTM systems, assuming an adequate demonstration of their legitimacy. For example, the Article S21 limits are "envelope" limitations, and in operation, SkyBridge will operate in most cases at levels lower than those established by the Radio Regulations, particularly at low elevation angles, as propagation is improved by high elevation angles. After extensive analysis, SkyBridge believes that its system could provide a significant level of protection to Northpoint, on an operational basis. The PFD limits set out in the table below would function in a way similar to the manner in which NGSO systems protect GSO operations, e.g., through the operational limits in Article S22.

Angle of Arrival (δ)	0-2°	2-5°	5-25°	25-90°	Units
12.2 - 12.7 GHz	-134	-134 + 3.33 (δ-2)	-124 + 0.5 (δ-5)	-114	dB(W/m ² /MHz)

Compliance with such operational limits would impose significant constraints on the deployment and operation of the SkyBridge system. Nonetheless, SkyBridge believes that these parameters represent a substantial initial step in creating an environment in which NGSO and PTM systems can coexist. As emphasized supra, however, SkyBridge does not presume to speak for other NGSO FSS applicants, let alone the PTM applicants. Whether the above-described regulatory structure is sufficient to meet the needs of others, or whether a different structure would be preferred, is an appropriate matter for additional Commission inquiry.

There is, however, no rational reason why that further inquiry should delay Commission action on the various NGSO/GSO/FS issues that have long been ripe for decision in the instant proceeding. Particularly now that WRC-2000 has resolved these issues at the international level, the Commission should move forward as expeditiously as practicable.

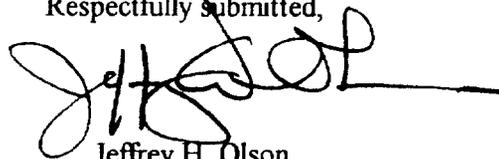
(...continued)

gain at 12.5 Ghz, is higher than -156 dBW over a 24 MHz carrier.

Magalie Roman Salas, Secretary
July 10, 2000

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

Respectfully submitted,



Jeffrey H. Olson
Attorney for SkyBridge L.L.C.

cc: Antoinette Cook Bush, Esq.	Bruce Franca
Chairman William Kennard	Julius Knapp
Commissioner Harold Furchtgott-Roth	Geraldine Matise
Commissioner Susan Ness	Thomas Derenge
Commissioner Michael Powell	Don Abelson
Commissioner Gloria Tristani	Ari Fitzgerald, Esq.
Clint Odom, Esq.	Peter Pappas, Esq.
Bryan Tramont, Esq.	Thomas Tycz
Mark Schneider, Esq.	Harry Ng
Peter Tenhula, Esq.	Thomas Sugrue
Adam Krinsky, Esq.	Kathleen Ham
Dale Hatfield	Thomas Stanley

ATTACHMENT B

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JUL 11 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Ex Parte Submission of Northpoint Technology, Ltd.
ET Docket No. 98-206, RM-9147, RM-9245

Dear Ms. Salas:

Northpoint Technology, Ltd. ("Northpoint") would like to briefly express its views on the statement filed with the Secretary by SkyBridge L.L.C. ("SkyBridge") on July 10, 2000.¹ In this communication, SkyBridge set forth a plan that it claimed would provide a basis for feasible coexistence between the NGSO system proposed by SkyBridge and the terrestrial system proposed by Northpoint.

The SkyBridge proposal acknowledges that SkyBridge can operate at the lower PFD limits below degrees that were proposed by Northpoint in its December 20, 1999 filing with the Commission in its WRC 2000 Conference Preparatory proceeding.² Northpoint agrees with this proposal. Unfortunately, however, SkyBridge also propounds power limits for Northpoint that would not permit the effective functioning of Northpoint's system and therefore are completely unacceptable to Northpoint. These power limits were apparently developed by SkyBridge alone and are not the product of any mutual understanding with Northpoint.

¹ Letter to the Secretary from Jeffrey H. Olsen, attorney for SkyBridge, July 10, 2000.

² Comments of Northpoint Technology, Ltd. in ET Docket No. 98-206, December 20, 1999.

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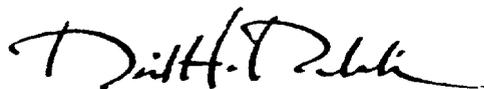
Magalie Roman Salas
July 11, 2000
Page 2

It appears that, as set forth in Northpoint's ex parte filing of July 6, 2000, the band segmentation plan proposed by the Boeing Company ("Boeing") may be the best strategy to permit effective sharing by both Boeing and SkyBridge. The Commission could authorize Boeing and SkyBridge to operate in the 11.7 - 12.2 GHz band, grant systems using Northpoint's technology authority to operate in the 12.2 - 12.7 GHz band, and permit other NGSO operators, such as Virtual Geosatellite, LLC, which has already agreed to coexistence with Northpoint, to use the entire 11.7 - 12.7 GHz band.

Northpoint continues to stand prepared to discuss the technical details of its spectrum-sharing proposal with Commission staff as well as with any of the NGSO applicants. There is no need for the Commission to call for further comment, as suggested by SkyBridge. Northpoint urges the Commission to move expeditiously toward bringing the benefits of Northpoint's proposed services to the public.

An original and six copies of this letter are submitted for inclusion in the public record for the above-captioned proceedings. Please direct any questions concerning this submission to the undersigned.

Sincerely,



David H. Pawlik
Counsel to Northpoint Technology, Ltd.

cc: Jeffrey H. Olson
Chairman William Kennard
Commissioner Harold Furchtgott-Roth
Commissioner Susan Ness
Commissioner Michael Powell
Commissioner Gloria Tristani
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Bryan Tramont, Esq.
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ATTACHMENT C

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OFFICE OF THE SECRETARY

July 13, 2000

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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 Ms. Salas:

This letter is written on behalf of SkyBridge LLC ("SkyBridge"), in response to a letter filed by Northpoint Technology, Ltd. ("Northpoint") in the above-referenced docket on July 11, 2000 (the "Northpoint Letter"). The Northpoint Letter responds to a letter filed by SkyBridge on July 10, 2000 (the "SkyBridge Sharing Proposal"), in which SkyBridge outlined a regulatory framework within which it believes that its nongeostationary orbit ("NGSO") fixed satellite service ("FSS") system and Northpoint's point-to-multipoint ("PTM") terrestrial system could coexist in the 12.2-12.7 GHz band. Northpoint's response to the SkyBridge Sharing Proposal is both disappointing and startling in its arrogance.

First, Northpoint willingly accepts the additional protection for its system (via operational limits on NGSO systems) suggested by SkyBridge in the Sharing Proposal. But it flatly rejects the reciprocal limits on Northpoint's operations. See Northpoint Letter at 1. Northpoint finds the carefully crafted balance proposed by SkyBridge to be "completely unacceptable," without explanation or a suggested alternative.¹ Apparently, Northpoint views coexistence as a one-way street; all who wish

¹ See Northpoint Letter at 1. Northpoint states that SkyBridge's proposed power limits "were apparently developed by SkyBridge alone." *Id.* On the contrary, they were based on the output of extensive technical discussions among SkyBridge's

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Magalie Roman Salas, Secretary
July 13, 2000

to use the 12.2-12.7 GHz band (including incumbent DBS operators) must bend to Northpoint's will ^{2/}

This abrupt demonstration of Northpoint's true approach to coexistence at least has the virtue of confirming for NGSO applicants, DBS operators, and the Commission the extent of Northpoint's intransigence. Indeed, Northpoint goes so far as to object to SkyBridge's suggestion that the Sharing Proposal be placed on public notice for comment. See Northpoint Letter at 2. What does Northpoint fear from a public discussion of SkyBridge's proposal?^{3/}

SkyBridge has worked over the past three years to achieve a viable basis for coexistence with the geostationary orbit ("GSO") satellite community, the Fixed Service ("FS"), and with Northpoint. SkyBridge has been able to reach consensus with the entrenched GSO and FS incumbents. While SkyBridge is disappointed by Northpoint's continued intransigence, it is not surprised. Throughout this proceeding, Northpoint has behaved as if all other interests must be sublimated to its own. For example, Northpoint has strenuously -- but without any basis in law or fact -- sought to deny other proposed PTM systems the opportunity to compete for the licenses that Northpoint seeks. Northpoint touts as a model for its vision of "sharing" its arrangement with Virgo, whereby Virgo effectively vacates the subject band. Now Northpoint flatly rejects SkyBridge's good faith attempt to at least begin to formulate a basis for

^{1/} (...continued)

and Northpoint's respective engineering teams. While the precise limits proposed by SkyBridge may not reflect Northpoint's favored outcome, they are far from the sort of unilateral speculation implied by the Northpoint Letter.

^{2/} This is, of course, consistent with the "sharing" regime agreed to by Northpoint and Virtual Geosatellite, LLC ("Virgo"), whereby Virgo has essentially abandoned all use of the 12.2-12.7 GHz band; this is Northpoint's version of sharing. See Northpoint Letter at 2.

^{3/} In Northpoint's rush to foreclose all debate regarding a possible compromise, it goes so far as to flatly misrepresent the position of The Boeing Company ("Boeing") regarding NGSO/PTM coexistence in the 12.2-12.7 GHz band. Contrary to Northpoint's assertion, see Northpoint Letter at 2, Boeing has never advocated segmenting the Ku-band so that NGSO systems operate at 11.7-12.2 GHz, with PTM systems at 12.2-12.7 GHz. Indeed, partly as the result of earlier mischaracterizations of Boeing's position by Northpoint, Boeing twice filed unambiguous clarifications of its views on the subject in May of this year. See Letters to William A. Kennard, Chairman, from David A. Nall, Esq., attorney for The Boeing Company, dated May 1, 2000, at 2; Letter to Magalie Roman Salas, Secretary, from David A. Nall, Esq., dated May 31, 2000, at 1. Northpoint's continued attempts to distort Boeing's position further illustrate the lengths to which Northpoint will go to achieve its goals.

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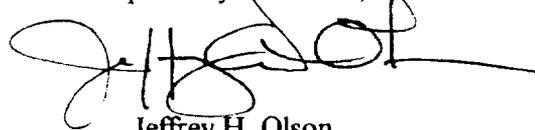
NGSO/PTM coexistence in the 12.2-12.7 GHz band, and objects to the suggestion that other interested parties have an opportunity to comment on the SkyBridge Sharing Proposal.

The issues in this proceeding regarding NGSO/GSO/FS sharing at Ku-band, including the 12.2-12.7 GHz band, are ripe for decision. The Commission should proceed as expeditiously as practicable to establish the proposed co-primary allocation for NGSO systems, consistent with the outcome of WRC-2000. Once this basic regulatory framework for NGSO FSS operations at Ku-band is set, the NGSO licensing process can move forward.

With regard to whether PTM systems such as Northpoint's should be permitted in the 12.2-12.7 GHz band, obviously, a number of issues remain unresolved; further inquiry is needed. For its part, SkyBridge will, as it has in the past, continue to undertake to identify frequency sharing solutions that can accommodate all legitimate needs. Consistent therewith, SkyBridge requests that the Commission issue a public notice requesting comments on its Sharing Proposal. Northpoint can comment or not, as it chooses.

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

Respectfully submitted,



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