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November 6, 2001

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

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., ET Docket 00-221

On behalf of Final Analysis Communication Services, Inc. ("Final Analysis"), you are hereby notified that on November 6, 2001, representatives of Final Analysis made an oral presentation to Paul Margie, Legal Advisor to Commissioner Michael Copps. Representing Final Analysis were Patricia A. Mahoney, Vice President Regulatory Policy, and Randall W. Sifers on behalf of Final Analysis.

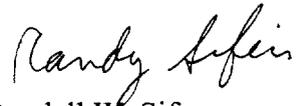
Final Analysis addressed matters concerning the allocation of the 1430-1432 MHz band for use by Little LEOs in the above-referenced proceeding. Specifically, Final Analysis addressed matters related to measures to protect the radio astronomy services operating in the 1400-1427 MHz band and efforts by the U.S. Government, including the Commission, and the Little LEO industry to identify and seek a global allocation in the relevant bands for the Little LEOs. The enclosed handout summarizing the substantial efforts made over the last five years to obtain additional global frequency allocations for the Little LEO industry was distributed.

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Magalie Roman Salas, Secretary
November 6, 2001
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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,

A handwritten signature in cursive script that reads "Randy Sifers".

Randall W. Sifers
Counsel to
Final Analysis Communication Services, Inc.

Enclosure

cc: Paul Margie

**FOR THE PAST THREE INTERNATIONAL TELECOMMUNICATION UNION (ITU)
WORLD RADIO CONFERENCES (WRCs), THE U.S. HAS PROMOTED ADDITIONAL FREQUENCY
ALLOCATIONS FOR THE NON-VOICE, NON-GEOSTATIONARY MOBILE SATELLITE SERVICE (NVNG MSS)**

- The U.S. proposed several bands for allocation or study at WRC-95 and WRC-97.
- In 1996 FCC staff suggested to the Little LEO industry that bands around 1.4 GHz be studied for feeder links. Within the ITU, the U.S. has supported use of 1.4 GHz bands for the NVNG MSS since that time. The FCC has been involved in the formulation of and supportive of this position.

**The U.S. Government And The Satellite Industry
Have Devoted Significant Resources To Gain International Allocation Of This Band**

- After extensive studies, U.S. Working Party (WP)-8D proposed allocation of 1.4 GHz bands for feeder links in 1997.
- At WRC-97, the U.S. proposed further study to develop an ITU Recommendation for sharing criteria so that future allocation of these bands for NVNG MSS feeder links could be made.
- The U.S. position for WRC-2000 supported obtaining an agenda item for WRC-03 to allocate 1.4 GHz Bands for NVNG MSS Feeder Links.
 - ❑ *July 1998 Public Notice* announced preliminary U.S. position to propose 1.4 GHz bands for Little LEO feeder links at WRC-2000 for the WRC-02/03 agenda.
 - ❑ *1999 IWG-2* approved proposal to modify agenda or WRC-02/03 to consider allocation of 1390-1393 and 1429-1432 MHz for NVNG MSS feeder links.
 - ❑ *1999 IWG-10* approved and submitted IWG-2 proposal to WRC.
 - ❑ CITEL approved U.S. proposal to continue studies and consider allocation at WRC-02/03.

Significant Technical Work Has Been Done on 1.4 GHz Bands Within ITU Processes

- Sharing studies of these bands have been ongoing since 1996:
 - ❑ For WRC-97, four technical studies were completed that indicated the ability to use sub segments of these bands without harmful interference to in-band or adjacent band users. While theoretical studies would have been sufficient and expected within the ITU processes, the industry performed actual laboratory hardware demonstrations by an independent source (Texas A&M) to confirm technical conclusions.
- For WRC-2000, work on developing final technical recommendations for allocation and use of these bands continued through ITU Working Parties (7C, 7D, 8D).
 - ❑ Extensive and independent ITU-R Sharing Studies for 1.4 GHz feeder links were approved by ITU-R Working Parties 8D, 7C and 7D.
 - ❑ Theoretical sharing studies were approved by ITU-R WP 7D in 1999, contingent upon validation "using equipment having operational parameters and characteristics."
- ITU Technical Committees agreed that 1.4 GHz bands could theoretically accommodate NVNG MSS feeder links but agreed that sharing feasibility should be confirmed by additional hardware testing.
 - ❑ U.S. successfully presented technical papers supporting feasibility of use of 1.4 GHz bands to ITU-R WP 7C, 7D and 8D in Geneva in 1999.
 - ❑ ITU-R WP 7C proposed work plan to draft final technical recommendations for use of 1390-1393 for Little LEO feeder uplinks.
 - ❑ ITU-R WP 7D proposed additional hardware demonstrations of feasibility of using 1429-1432 for Little LEO feeder downlinks in order to finalize their technical recommendations.

1.4 GHz Bands Stand The Best Chance of Global Allocation

- Other bands face significant international opposition and would take years to approve through ITU-R.
- 1.4 GHz bands have been studied in detail by ITU Working Parties 7C, 7D and 8D. These bands are relatively less heavily used versus other bands being studied and are also easier to coordinate internationally. Additional hardware studies are to be completed prior to WRC-03.
- **At the recently concluded WRC-2000, the U.S. was successful in obtaining broad international support for the U.S. proposal to place on the agenda for the next WRC (in 2003) allocation of the 1390-1393 MHz and 1429-1432 MHz bands on a global basis for NVNG MSS feeder links. The agenda item also received broad support for a relatively high priority among agenda items on the WRC-03 agenda. The WRC-2003 agenda was subsequently approved by the ITU Council, and the proposed allocation is on the agenda for WRC-2003.**