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November 15, 2001

Magalie Roman Salas, Secretary  
Federal Communications Commission  
The Portals, 12<sup>th</sup> Street Lobby  
445 12th St., SW, Counter TW-A325  
Washington, DC 20554

Re: Ex Parte Presentation  
ET Docket No. 00-258  
IB Docket No. 01-185

Dear Ms. Salas:

On Wednesday, November 14, 2001, David Otten, Chairman & CEO of Celsat America, Inc. ("Celsat"), John Quale, and I met with Commissioner Abernathy, Bryan Tramont, her legal advisor, and intern Jennie Berry. At the meeting, Celsat explained that the Commission would serve the public interest best by not reallocating even a single megahertz of the 2 GHz MSS band strictly for terrestrial 3G uses as proposed in ET Docket No. 00-258. Celsat noted that terrestrial 3G services have encountered weak demand and technical problems in Europe and Asia and, therefore, a reallocation of the 2 GHz MSS band for such uses likely would not further the Commission's goal of providing services the public wants and needs. On the other hand, Celsat stressed that millions of Americans in rural areas still do not enjoy the kind of advanced services (including broadband Internet access) that American city-dwellers take for granted and that only satellite companies like Celsat can provide. Accordingly, Celsat urged Commission to retain the entire 2 GHz MSS band intact, thereby preserving the ability of Celsat and others to make their valuable services available to all Americans.

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Celsat also expressed its view that the Commission should permit MSS operators the flexibility to reuse their spectrum terrestrially as proposed in IB Docket No. 01-185. Celsat explained that only the satellite operator can accomplish terrestrial reuse of the satellite spectrum because of the technical issues involved in a mobile (as opposed to fixed) satellite sharing environment. Accordingly, the Commission cannot accept competing applications for the ancillary terrestrial use. In this regard, Celsat noted that, absent mutual exclusivity, the Commission cannot auction these ancillary terrestrial rights.

In accordance with section 1.1206(b) of the Commission's rules, two copies of this letter are being submitted for inclusion in each of the dockets listed above. Please direct any questions concerning this matter to the undersigned.

Very truly yours,

/s/ Brian Weimer

cc: Commissioner Kathleen Abernathy  
Bryan Tramont  
Jennie Berry