AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

ATTORNEYS AT LAW

1676 INTERNATIONAL DRIVE
MCLEAN, VIRGINIA 22102
(703) 891-7500
FAX (703) 891-7501
www.akingump.com

AUSTIN
BRUSSELS
DALLAS
DENVER
HOUSTON
LONDON
LOS ANGELES
MOSCOW
NEW YORK
NORTHERN VIRGINIA
PHILADELPHIA
SAN ANTONIO
WASHINGTON, D.C.

RIYADH (AFFILIATE)

DIRECT DIAL NUMBER 703-891-7517
E-MAIL ADDRESS PMARCHESIELLO@akingump.com

May 29, 2002

VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: ***Notice of Ex Parte Presentation***
ET Docket No. 98-206; Compass Systems, Inc. DBS application; Northpoint Petition for Rulemaking (RM-9245); Skybridge Petition for Rulemaking (RM-9147); 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. Dortch:

On May 28, 2002, Antoinette Cook Bush and Sophia Collier of Compass Systems, Inc. ("Compass") met with Sam Feder, Legal Advisor on Spectrum and International Issues for Commissioner Kevin Martin; Bryan Tramont, Senior Legal Advisor for Commissioner Kathleen Abernathy; and Susanna Zwerling, Media and Consumer Protection Legal Advisor for Commissioner Michael Copps. In all three meetings, the Compass representatives urged the prompt acceptance for filing of Compass's Direct Broadcast Satellite ("DBS") space station application and the opening of a processing round for the filing of other, mutually exclusive DBS applications. The Compass representatives asserted that the Commission should establish in its satellite licensing streamlining rulemaking (IB Docket Nos. 02-34 and 00-248) a method for resolving any mutual exclusivity that results from the filing of other DBS applications in the processing round.

In addition, during their meetings with Mr. Tramont and Mr. Feder, the Compass representatives discussed the information contained in the attached written presentation. Also, Carmen Tawil attended the meeting with Mr. Tramont on behalf of Compass.

Pursuant to sections 1.1206(b)(1) and 1.1206(b)(2) of the Commission's rules, this letter is being filed with the Office of the Secretary. Please contact the undersigned with any questions that you may have regarding this matter.

Sincerely,

/s/ Phil Marchesiello

Phil Marchesiello, Esq.
Counsel for Compass Systems, Inc.

Spectrum Efficiency through Rightsizing Transmissions

- The Compass combined satellite-terrestrial system is radically more efficient at delivering multi-channel video and internet content than a terrestrial only or satellite only system.
- Delivery of "national" video programming is highly efficient by satellite; highly inefficient by terrestrial means.
  - Without a satellite segment, each terrestrial cell across the nation must re-broadcast the same programming.
- Delivery of "local" video or internet content is highly efficient by terrestrial means; highly inefficient by satellite.
  - Without a terrestrial segment, the satellite must broadcast to areas where the signal is not needed.
- A system combining both segments solves this problem by enabling transmissions to be "right-sized" and delivered by the most efficient means.

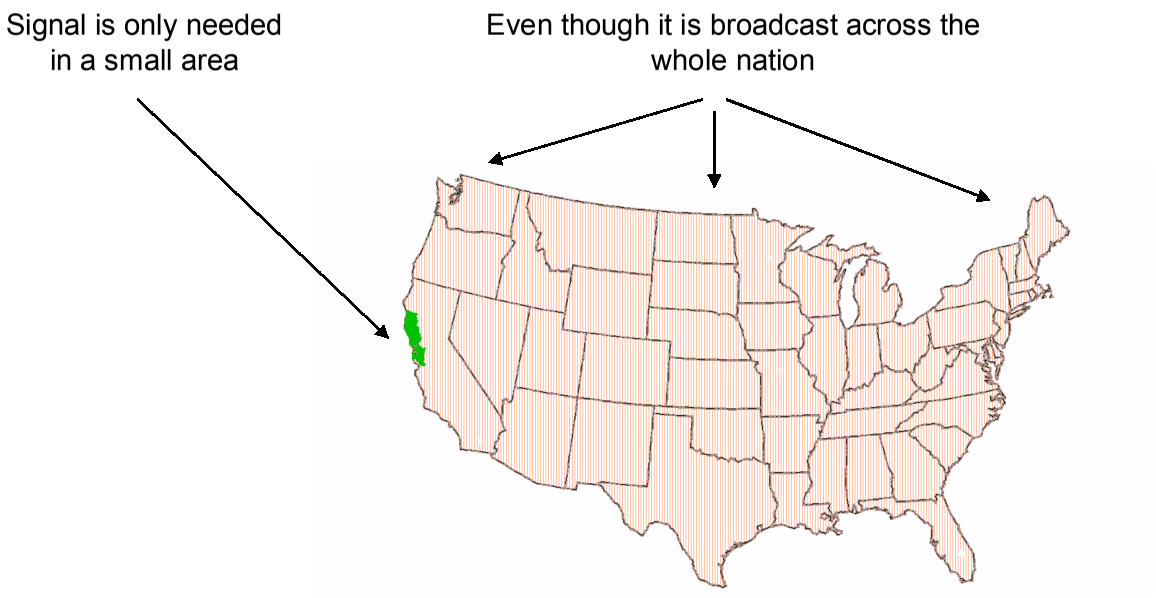
An Integrated Terrestrial-Satellite Network is More Spectrum Efficient than a Terrestrial Only System

- In a terrestrial-only system, capacity must be allocated to uniform "national" video broadcasts that are better broadcast by satellite.
- Freeing this resource provides an enormous improvement in overall system capacity through improved spectrum efficiency.

	Reuse potential	Reuse Factor
Single market video	Each television market	210 X
Internet downstream	Each tower	14,000 X
Combined improvement	(half and half allocation)	7105 X

- Every MHz of "national" video that can be placed on a satellite can be reused over 7000 times on the ground.
- Improved spectrum efficiency enables greater diversity of content and internet download speeds

Delivery of Local Content to a Single Market on a "National" DBS Beam Is Spectrally Inefficient



On the average 99.5% of the spectrum used to deliver local channels via a national DBS beam is wasted. Internet is significantly worse: *A single web page* is broadcast to whole nation or spot beam foot print.

Spot Beams Are Only Marginally More Efficient

- Spot beams re-use frequencies but still broadcast a portion of their signal to geographic areas where the signal can not be used.
- Spot beam technology allows only limited reuse due to “self interference” on the satellite.

Operator	National DBS Frequencies	Resulting spot beams	Re-use factor
DirecTV 4S	6	44	7.3
Echostar 7	5	25	5.0