

November 28, 2005

Filed Electronically

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Response to "Coalition" Ex Parte Presentation
IB Dockets 05-220 and 05-221*

Dear Ms. Dortch:

In their combined *ex parte* presentation filed on November 17, 2005, the cellular and satellite companies that will compete with TerreStar Networks, Inc.¹ have found a unifying goal in the hundreds of pages of pleadings they have filed in these dockets: the need to delay.

The fact that these parties have chosen to focus on this one unifying goal lays bare their true intention. They demand, as they have done in their pleadings filed here over the past several months, that the Commission institute a "full rulemaking" to "consider the potential use of the spectrum." The parties do not identify any reason why the present dockets, which pose this very issue, have not satisfied the need they perceive for a "full" discussion of these issues. The notices published by the Commission in each of the dockets referenced above do not place restrictions on the arguments that these parties have been able to make. Each of the parties asking for a new rulemaking proceeding already has filed extensive comments and reply comments in both dockets, which the Commission is under an obligation fully to consider.

In combination, there have been some 225 filings in the dockets at issue here, covering thousands of pages of legal argument, proposed resolutions and economic and engineering evidence on all sides of the issues. There also have been dozens of meetings with Commission staff, again covering all sides of the issues. None of the cellular and satellite parties joining in the *ex parte* letter have identified a single issue that would be addressed in the proposed "full rulemaking" that has not already been fully briefed in these dockets from every possible perspective. As such, the Commission's commencement of these dockets has served any goals that a so-called "full rulemaking"

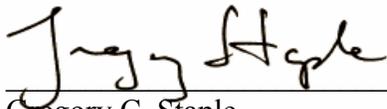
¹ TerreStar Networks, Inc. is the affiliate and prospective assignee of the 2 GHz MSS authorization of TMI Communications and Company Limited Partnership and has contracted with Space Systems/Loral Inc. for a satellite that will operate in the 2 GHz band.

could accomplish. The only result of the commencement of yet another rulemaking would be an inevitable delay in the availability of an innovative, competitive service to the American public. And that delay would cast a pall of uncertainty over this service, endangering investment and threatening continued progress.

This call for administrative delay is all the more remarkable given the events that have occurred since our satellite and cellular competitors first demanded that the Commission slow down the provision of adequate spectrum for the 2 GHz Mobile Satellite Service. This new call for delay follows the unprecedented disaster of two hurricanes, which destroyed a major American city and a large swath of the Gulf Coast. The lesson learned from hurricanes Katrina and Wilma is that our communications infrastructure is in dire need of increased access to redundant, reliable communications services -- the type that only innovative satellite systems can provide. For that reason, an extraordinarily diverse group of public servants, first responders and public-safety organizations from all 50 states have supported a swift result in *these* dockets that will permit new and innovate 2 GHz MSS services to be deployed in the near term. *See* Letter from Jonathan D. Blake to Marlene H. Dortch, Nov. 21, 2005 (collecting letters from national and international associations as well as grass-roots organizations from 18 states).

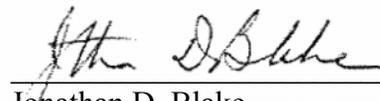
The Commission initiated these dockets to air fully the views of the public and the industry on the issue of 2 GHz MSS spectrum. It has accomplished that objective. The record is now complete, and the time for a decision is now. We urge the Commission to ignore these transparent last-minute calls for delay and to move forward to permit us to provide the full-featured, innovative and robust 2 GHz MSS service that our country needs today.

Respectfully submitted,



Gregory C. Staple
VINSON & ELKINS
1455 Pennsylvania Avenue N.W.
Washington, D.C. 20004-1008

*Counsel for TMI Communications and
Company Limited Partnership*



Jonathan D. Blake
Kurt Wimmer
Matthew S. DelNero
COVINGTON & BURLING
1201 Pennsylvania Avenue N.W.
Washington, D.C. 20004-2401

Counsel for TerreStar Networks Inc.