

January 17, 2007

Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Notice of ex parte presentation – RM-11341

Dear Ms. Dortch:

On January 17, 2007, the Satellite Industry Association (“SIA”) had a meeting with staff of the Satellite Division of the Federal Communications Commission International Bureau (“IB”) regarding SIA’s Comments in the above-referenced proceeding concerning amendment of the National Table of Frequency Allocations to provide allocation status for Federal Earth Stations communicating with Non-Federal Satellites.

SIA was represented by the following: David Cavossa and Carolyn Roddy of SIA; Peter Rohrbach of Hogan & Hartson on behalf of SES Americom; Jennifer Warren of Lockheed Martin; Audrey Allison of Boeing; Kalpak Gude of Intelsat and Tiffany Hornsby of TerreStar Networks.

IB staff present in the meeting were the following: Robert G. Nelson, Satellite Division Chief; Karl Kensinger, Associate Chief, Satellite Division; Scott Kotler and Andrea Kelly

SIA’s presentation in the meeting followed the attached talking points, which were distributed to the meeting participants.

Please direct any questions regarding this filing to the undersigned.

Sincerely,

Carolyn Roddy

Attachment

cc (email): Robert G. Nelson
Karl Kensinger
Scott Kotler
Andrea Kelly



Satellite Industry Association Comments on RM-11341

NTIA Rulemaking Request to Upgrade Federal Earth Stations to Co-Primary Status with Non-Federal Satellites in Certain Frequency Bands

Wednesday, January 17th, 2007

SIA MEMBER COMPANIES



NORTHROP GRUMMAN



- Commercial satellites now critical means of communications for Federal agencies, first responders, and the U.S. Military.
- NTIA filed Petition asking FCC to initiate rulemaking to amend National Table of Frequency Allocations to upgrade to co-primary regulatory status Federal earth stations operating in certain frequency bands
 - This protection is important because of the increasing dependency of Federal agencies upon commercial satellite capacity for mission-critical operations.
 - Federal earth stations in these bands are currently required to operate on a non-interference basis.
 - NTIA says footnote similar to US 319 is sufficient to provide Federal agencies with the co-primary status they seek.

- FCC must ensure Federal earth stations not given “super primary” status relative to non-Federal earth stations and that co-primary status does not add complexity or delay to licensing commercial and experimental earth stations.
- Licensing and technical rules and enforcement procedures should be imposed on Federal co-primary operations.
 1. Location/technical parameters provided to FCC and placed on public notice prior to commencing service, and as a pre-requisite to FCC concurrence
 2. Compliance with FCC technical rules essential to mitigate interference between federal and non-federal operations
 3. Development of interagency process to ensure compliance with FCC enforcement procedures
- Rule changes must not add complexity or delay in licensing of commercial and experimental earth stations, due to interagency coordination.



SIA Supports Rulemaking Request Under Certain Conditions

- SIA supports initiation of the NTIA rulemaking request provided the following:
 - Federal earth stations accessing commercial satellites are subject to the same regulatory obligations as non-Federal earth stations with respect to licensing, interference, and enforcement requirements, and
 - Commercial and experimental earth station operations in bands shared between Federal and non-Federal users are not subject to any additional approval process by NTIA, the FCC or any other government entity as a result of co-primary status of Federal earth station operations.