



Reverse Band: 17/24 GHz BSS

May Order

May 4 Order adopted a 4° spacing plan.

Providers can operate full power off-slot until neighboring slot is put into use.

Once neighbor arrives, provider must

- Reduce power significantly and accept interference. This is not a practical solution, because it is likely to render 40-60% of a \$300 M investment useless and cause consumer disruption of programming.

Moving satellite back to “grid” is not viable option.

- No way to re-point millions of consumer dishes to new location.
- Need to re-start ITU and FCC process for new location.

Flexibility to Permit DBS Integration

1° Flexibility Proposal: Licensees should have the flexibility to:

- (a) operate up to 1° off slot;
- (b) permanently;
- (c) at full power; with
- (d) full interference protection.

Benefits of 1° Flexibility Proposal

Provides a level playing field for all applicants: DBS, FSS, new entrants.

Most efficient use of the spectrum and resources

Provides maximum consumer benefits: HD offerings; small, single-dish solutions; integration with existing investment; reduced interference with foreign operations.

Increases competition to incumbent cable providers, resulting in lower prices and more innovation.

Accommodates international concerns, foreign satellites and orbital locations.

Achieving Competitive Parity

Current rules provide DIRECTV with critical spectrum and deny its chief rival comparable capacity.

DIRECTV does not contend that 1° Flexibility Proposal harms its planned integrated Ka/RBW service.

DIRECTV's other concerns do not withstand scrutiny.

SES has not filed for any RBW locations.

Opposes our proposal, but concedes that additional flexibility is necessary.

1° Flexibility plan is more narrowly tailored than shifting entire 4° grid.

Summary

Licensees should have the flexibility to: (a) operate up to 1° off slot; (b) permanently; (c) at full power; with (d) full interference protection.

All satellite providers should be on level playing field for new spectrum.

All satellite providers need this spectrum as soon as possible.