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November 15, 2007

**FILED ELECTRONICALLY**

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

Re: IB Docket No. 06-123  
*Ex Parte*

Dear Ms. Dortch:

This is to inform you that, on November 14, 2007, Robert Power of Telesat, Joseph Godles and the undersigned, representing Telesat, met with John Branscome of Commissioner Capps' office. The purpose of the meeting was to provide and discuss the attached handout dealing directly with the above referenced proceeding.

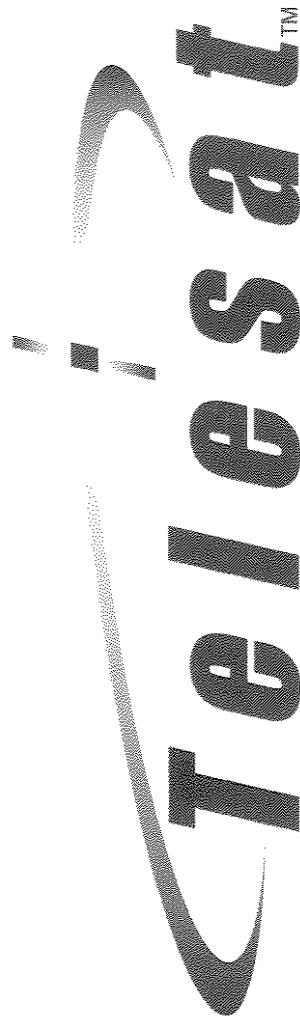
Please direct any questions regarding this matter to the undersigned.

Respectfully,



Henry Goldberg  
*Attorney for Telesat*

cc: John Branscome



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## 17/24 GHz BSS Rules

International Bureau - FCC  
November 14, 2007

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# Non-US Systems With ITU Priority



- Non-US licensed 17/24 GHz BSS systems that have ITU priority need to be protected
  - As an ITU member, the US has committed to coordinating with systems having ITU priority
  - Section 25.111(b) of the rules implements this commitment
- The four degree grid does not protect non-US licensed 17/24 GHz BSS systems that have ITU priority
  - Non-US systems are not assigned orbital locations based on the grid
  - None of Telesat's 17/24 GHz BSS orbital locations is on the grid
  - Telesat believes that it will likely have ITU priority over the closest United States' filings in the time frame of interest

# ***Sua Sponte* Order on Reconsideration**

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- The Order on reconsideration does not resolve the international coordination issue
  - Deviations of up to one degree from the grid are permitted, but only if the adjacent, on-grid orbital location is not licensed or the subject of an application
  - Applications are on file for some of the on grid orbital locations that are adjacent to Telesat's 17/24 GHz BSS orbital locations

# Proposed Conditions



- Including two conditions on 17/24 GHz BSS grants, as proposed in Telesat's September 12 letter, will ensure that ITU commitments are satisfied:
  - 1) The US licensee would be required to coordinate with non-US licensees having ITU date priority
  - 2) The assignment of an orbital location would be subject to modification to an off grid location if necessary to facilitate international coordination

## Proposed Conditions (cont'd)



- Including these conditions has benefits in addition to ensuring that ITU commitments are satisfied
  - Clarifying that systems with higher ITU priority must be protected may encourage US applicants to change orbital locations to avoid coordination conflicts
  - Addressing the international coordination issue up front is always preferable to trying to resolve conflicts late in the process (e.g., Loral Orion vs. Eutelsat)

## Proposed Conditions (cont'd)

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- The certainty provided by addressing the international coordination issue will make it easier for non-US systems intending to serve the US to implement their plans, thereby enhancing competition and consumer choice