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April 14, 2008

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VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission

Re: Ex Parte Notice
PS Docket No. 06-229, WT Docket No. 96-86

Dear Ms. Dortch:

On April 11, 2008, Jennifer Manner, Donna Bethea-Murphy, Doug Brandon, Diane Cornell, and the undersigned, on behalf of the Satellite Industry Association, met with Bruce Gottlieb of the Office of Commissioner Michael J. Copps and Wayne Leighton and Chris Moore of the Office of Commissioner Deborah Taylor Tate in separate meetings. These SIA representatives also talked with Angela Giancarlo of the Office of Commissioner Robert M. McDowell via conference call on April 11, 2008. Finally, Jennifer Manner, Doug Brandon, Diane Cornell, and the undersigned met with Renée Crittendon of the Office of Commissioner Jonathan S. Adelstein on April 11, 2008. SIA's conversation in all of these meetings was based on comments previously filed by SIA in the above-referenced 700 MHz proceeding and on the attached presentation. Please direct any questions regarding this filing to the undersigned.

Sincerely,

/s/ *Gregg Elias*

Gregg Elias

Attachment

cc: Renée Crittendon
Angela Giancarlo
Bruce Gottlieb
Wayne Leighton
Chris Moore



D Block and the Role of Satellites

- Satellites continue to demonstrate their importance in serving hard to reach geographic areas or underserved areas in the United States for basic and emergency communications.
- This has been demonstrated time and time again during emergency situations where the terrestrial infrastructure is either not available or has been destroyed.
- As part of the 700 MHz proceeding, the FCC recognized the importance of satellite communications by imposing a satellite component requirement on the D block licensee for public safety communications.
- Despite the FCC's best efforts, at the recently concluded 700 MHz auction, the D block was not awarded. Commentators have suggested that the stringent build-out requirements in terms of time and scale required by the FCC were a factor in this result.
- As the FCC rethinks whether a new approach should be explored in light of the D block auction experience, it may well be appropriate to provide more flexibility in the build-out requirements. The dual mode MSS/terrestrial requirement that the FCC has already incorporated in its rules could offer a means of providing additional flexibility, while at the same time ensuring the effective coverage so essential to public safety operations. For example:
 - The D block licensee's obligation to meet its build-out requirements could be delayed or relaxed, to the extent it ensured that dual-mode MSS/terrestrial devices are available in areas which have not been built out with a terrestrial network, but are covered by an MSS footprint.
 - Alternatively, the FCC could retain its terrestrial build out requirement, but could give flexibility towards meeting the build-out requirement based on the availability of dual mode (700 MHz terrestrial and MSS) handsets.
 - This flexibility could be based on a showing by the D Block licensee of the robustness of the satellite offering. The flexibility could be scaled based on the substitutability of the satellite offering for the terrestrial services used by public safety. Factors in assessing such an offering might include:
 - The capabilities of the satellite component (e.g., voice, data, video, interoperability, priority/preemption).
 - The availability of data dual mode devices, in addition to voice handheld dual mode devices.
 - Geographic coverage.