

May 29, 2009

New DBSD Satellite Services G.P.
11700 Plaza America Drive, Suite 1010
Reston, Virginia 20190

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Re: **EX PARTE**
WT Docket No. 02-55; ET Docket Nos. 00-258 and 95-18

Dear Ms. Dortch:

On May 29, 2009, Suzanne Hutchings Malloy and Peter Corea, for New DBSD Satellite Services G.P. (“DBSD”, formerly New ICO Satellite Services, G.P. (“ICO”)) spoke by phone with Geraldine Matisse, Chief, Policy and Rules Division of the Office of Engineering and Technology. DBSD reiterated comments ICO filed in connection with the March 2008 *Further Notice of Proposed Rulemaking* in the above-referenced proceedings.¹ In particular, DBSD emphasized the importance of certainty and predictability regarding the date by which MSS systems may initiate commercial service. DBSD also reiterated its concern that BAS relocation delays have disrupted and continue to disrupt planning and introduction of nationwide mobile satellite service to the public.²

Respectfully submitted,

/s/Suzanne Hutchings Malloy
Suzanne Hutchings Malloy

cc: Geri Matisse

¹ See *Improving Public Safety Communications in the 800 MHz Band*, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 4393 (2008).

² See *ICO Opposition to Supplemental Joint Request* filed by Sprint Nextel Corporation, the Association for Maximum Service Television, the National Association of Broadcasters, and the Society of Broadcast Engineers, WT Dkt. No. 02-55, at 9 (March 9, 2009).