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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In RE:

Satellite Industry Association Request )  
For Amendment of the U.S. Table of )  
Frequency Allocation to Designate ) RM-9911  
2500-2520/2670-2690 MHz Frequency )  
Bands for the Mobile-Satellite Service )

TO: The Commission

OPPOSITION OF FRIENDS OF WLRN, INC.

Friends of WLRN, Inc., licensee of ITFS Station WHR-866, Miami, Florida ("Friends") opposes the Petition for Rulemaking filed in the above-referenced proceeding April 28, 2000 by the Satellite Industry Association ("SIA").<sup>1</sup> Therein the SIA seeks institution of a rulemaking proceeding to allocate the 2500-2520 MHz and 2670-2690 MHz bands to the Mobile Satellite Service ("MSS") for purposes of providing global roaming capability for the space based component of the future "third generation" mobile telecommunications systems sometimes denominated International Mobile Telecommunications-2000 ("IMT-2000").

Friends submits that SIA's proposal is an extremely inefficient use of spectrum that is presently occupied by licensees in the Multipoint Distribution Service ("MDS") and the Instructional Television Fixed Services ("ITFS"). The present allocation scheme allows MDS and ITFS services

<sup>1</sup>  
Friends submits that SIA's Petition should be denied for the reasons set forth in the Opposition by the National ITFS Association filed in this proceeding. Additional good reason exists for denying SIA's request and Friends further views are set out herein.

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to develop terrestrial point-to-multipoint and two-way interactive broadband applications for both commercial and non-commercial educational users. It permits innovative spectrum sharing arrangements which can be tailored to meet such diverse local needs as downstream delivery of instructional programming, high speed internet access, wireless cable and other data delivery needs.

Friends, itself, is licensed on channels B1-B4 in the Instructional Television Fixed Service to deliver instructional programs to students enrolled in educational institutions. It is a member of a consortium of ITFS licensees which has entered into arrangements with a subsidiary of BellSouth for coordinated use of MDS and ITFS frequencies to serve educational and commercial interests in Miami-Dade County, Florida.

Only recently, the Commission has redefined permissible ITFS channel use to permit innovative high speed two way services. See Amendment of Parts 21 and 74 to Enable Multipoint Distribution Service and Instructional Television Fixed Service Licensees to Engage in Fixed Two-Way Transmissions, 13 FCC Rcd 19112 (1998), modified on recon., 14 FCC Rcd 12764 (1999). In its Report and Order on Further Reconsideration and Further Notice of Proposed Rulemaking, FCC 00-244, released July 21, 2000, the Commission noted that the MDS and ITFS licensees, which occupy the 2500-2520 MHz and the 2670-2690 MHz bands at issue in SIA's petition, have a history of cooperation that has permitted an aggressively flexible deregulatory approach to both services. The SIA is asking the Commission to abandon this successful deregulatory approach to the MDS/ITFS spectrum in favor of a rigid allocation for the MSS. This will deprive local communities, nationwide, of 40 MHz of spectrum that is presently used and reused to provide terrestrial radio services tailored to local commercial and educational needs.

The SIA proposal is devoid of any data that could support a conclusion that the spectrum

presently allotted to MSS is insufficient to meet space based IMT-2000 services in the Continental United States. The proponent of a proposal to deprive local communities of a flexible terrestrial radio service should, at a minimum, explain why the present satellite IMT-2000 allotment cannot meet future demands.

SIA has presented no credible basis for instituting a proceeding to reallocate 40 MHz of spectrum that presently serves significant local needs of the various states and communities within the United States. Its petition should be denied.

Respectfully submitted,



Joseph A. Belisle  
Counsel for Friends of WLRN, Inc.

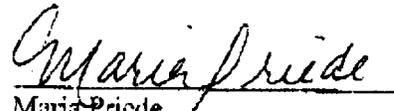
Leibowitz & Associates, P.A.  
One SE Third Avenue, Suite 1450  
Miami, Florida 33131  
(305) 530-1322

**CERTIFICATE OF SERVICE**

I, Maria Priede, hereby certify that I have this 28<sup>th</sup> day of August, 2000 caused a copy of the foregoing "Opposition to Application for Review" to be delivered by U.S. First Class Mail, postage prepaid, to the following:

Mr. Michael Fitch  
The Satellite Industry Association  
225 Reinekers Lane  
Suite 600  
Alexandra, VA 22314

Todd D. Gray, Esq.  
Dow Lohnes & Albertson  
1200 New Hampshire Avenue, NW  
Suite 800  
Washington, DC 20036

  
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Maria Priede