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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

April 25, 2001

VIA HAND DELIVERY

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Re: **Ex Parte Presentation**
Blanket Licensing of Satellite Earth Stations in the
17.7-20.2 GHz and 27.5-30.0 GHz Frequency Bands,
IB Docket No. 98-172; RM-9005; RM-9118

Dear Ms. Salas:

ASTROLINK International LLC ("Astrolink"), licensee of the Astrolink Ka-band satellite system, by its counsel, hereby seeks clarification of one aspect of the Commission's decision in the above-referenced proceeding. Specifically, Astrolink requests the Commission to confirm that service vendors and other entities unaffiliated with a Ka-band satellite licensee may apply for blanket authorization to construct and operate Ka-band earth stations.

In the *18 GHz Order,* the Commission adopted a blanket licensing procedure for GSO/FSS earth stations in the unshared 18.58-18.8 GHz, 19.7-20.2 GHz, 28.35-28.6 GHz, and 29.5-30.0 GHz bands.[1] The Commission concluded that applicants in these bands may apply for a blanket authorization under which each licensee can construct and operate specified numbers and types of qualified earth stations.[2] The Commission also held that the license term for a blanket authorization should coincide with the underlying space station operating license.

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[1] *Redesignation of the 17.7-19.7 GHz Frequency Band, Blanket Licensing of Satellite Earth Stations in the 17.7-20.2 GHz and 27.5-30.0 GHz Frequency Bands, and the Allocation of Additional Spectrum in the 17.3-17.8 GHz and 24.75-25.25 GHz Frequency Bands for Broadcast-Satellite Service Use.* Report and Order, 15 FCC Rcd 13430 (2000) ("*18 GHz Order*").

[2] *Id.* at 13471.

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Commission statements in this proceeding plainly provide that Ka-band satellite operators, like Astrolink, may apply for blanket earth station authorizations. For example, in the *Notice of Proposed Rulemaking*, the Commission stated: "[w]e propose to allow *satellite licensees* in these bands to apply for a blanket license authorization... ."[3] Discussion in the *18 GHz Order* adopting Ka-band blanket licensing procedures also makes clear that Ka-band satellite licensees may apply for blanket authorizations.[4] What is not clear from these discussions, however, is whether the Ka-band blanket licensing scheme contemplates that others, such as service providers and private entities unaffiliated with a satellite licensee, also may seek blanket license authorizations. Nor does the text of the applicable FCC rule, Section 25.115(e), delineate who may apply for a Ka-band blanket earth station authorization.[5]

Astrolink believes that the public interest would be served if, in addition to satellite operators, other parties are permitted to apply for Ka-band blanket license authorizations. There is no apparent reason to restrict blanket licensing to satellite licensees, and no FCC policy would be compromised or affected by allowing service vendors and other entities to apply for blanket earth station authorizations. Permitting multiple parties to apply for blanket authorizations also would be consistent with the practice in other satellite services. For example, various interested entities, including satellite operators, service vendors and end users, are permitted to apply for and hold blanket VSAT authorizations in the 12/14 GHz frequency band.[6] Moreover, as the Commission is aware, Ka-band services will be marketed broadly to businesses and consumers throughout a satellite operator's service area. Permitting service vendors and others to apply for and hold blanket authorizations will facilitate the distribution of Ka-band earth stations and hasten the delivery of broadband services to the American public.

In view of the foregoing, Astrolink respectfully asks the Commission to clarify and confirm that satellite licensees, service vendors and other entities may apply for and hold blanket license authorizations for GSO/FSS earth stations in the unshared 18.58-18.8 GHz, 19.7-20.2 GHz, 28.35-26.6 GHz, and 29.5-30.0 GHz bands.

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[3] *Redesignation of the 17.7-19.7 GHz Frequency Band, Blanket Licensing of Satellite Earth Stations in the 17.7-20.0 GHz and 27.5-30.0 GHz Frequency Bands, and the Allocation of Additional Spectrum in the 17.3-17.8 GHz and 24.75-25.25 GHz Frequency Bands for Broadcast-Satellite Service Use*, Notice of Proposed Rulemaking, 13 FCC Rcd 19923, 19944 (1998) (emphasis added).

[4] *See 18 GHz Order*, 15 FCC Rcd at 13471-2.

[5] *See* 47 C.F.R. § 25.115(e).

[6] Similarly, under the approach adopted in the NGNV, 1.6/2.4 GHz and 2 GHz Mobile-Satellite Services, a service vendor, which may or may not be the satellite licensee, may apply for and hold a blanket authorization for user transceivers. *See* Section 25.115(d) of the rules, 47 C.F.R. § 25.115(d).

Two copies of this letter are being submitted to the FCC's Secretary in accordance with Section 1.1206 of the rules.

Respectfully submitted,

Raymond G. Bender, Jr.
Counsel for ASTROLINK International LLC

RGB/db
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