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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
236 Massachusetts Avenue N.E., Suite 110
Washington, DC 20002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Ex Parte Communication in IB Docket No. 02-10

Dear Ms. Dortch:

By this letter, Maritime Telecommunications Network, Inc. ("MTN"), by its attorneys, responds to the *ex parte* communication filed into the above-referenced docket on April 4, 2003 on behalf of the Fixed Wireless Communications Coalition ("FWCC"). The principal point of the FWCC filing is to assert that it is premature for the Commission to issue a notice of proposed rule making concerning the use of Earth stations on board vessels ("ESVs") within the fixed-satellite service ("FSS") frequencies at C-band and Ku-band until after the 2003 World Radiocommunication Conference ("WRC-03") has concluded its action on the ESV item on its agenda. For the reasons provided below, MTN strongly disagrees with the FWCC's assertion and urges the Commission to release its notice of proposed rule making as far in advance of WRC-03 as it can.

The U.S., with the support of CITELE Administrations, has finalized its proposals for the international regulatory scheme that it wants to see for C-band and Ku-band ESVs. These proposals are very similar to the proposals on ESVs that are going to be considered by WRC-03 from the Asia-Pacific and European regional groups. (MTN updated the Commission's record in the instant proceeding on WRC-03 developments on the ESV agenda item in a previous *ex parte* presentation.)

The U.S. has been the chief proponent of a regulatory regime for ESVs for more than six years and through two prior WRCs. The release of a notice of proposed rule making in IB Docket No. 02-10 would go a long way toward achieving that indisputable U.S. objective. The go-slow approach that FWCC advocates would have the U.S. spend WRC-03 prancing aimlessly about on the subject of domestic implementation of the very international regulatory scheme that the U.S. has long promoted.

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If the FWCC has particular issues with how the U.S.-supported approach to ESV regulation is to be implemented domestically, it should file comments in response to the forthcoming notice of proposed rule making. It is beyond cavil, however, that the Commission's release of such a rulemaking proposal prior to the commencement of WRC-03 will provide valuable support to the U.S. proposals on ESVs, and play a key role in assuring that the U.S. objectives are duly reflected in the outcome of the Conference.

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), the original and one copy of this letter are submitted for inclusion in the file of the above-referenced proceeding.

Please direct any questions you may have to the undersigned.

Respectfully submitted,

Raul R. Rodriguez
Stephen D. Baruch
*Attorneys for Maritime Telecommunications
Network, Inc.*

cc: Donald Abelson
James Ball
J. Breck Blalock
Ron Repasi
Trey Hanbury
Belinda Nixon
Paul Locke
Lisa Cacciatore
Claudia Fox
Ed Jacobs
Bruce Romano
Thomas Derenge
Tom Mooring
John Muleta
Catherine W. Seidel
Shellie Blakeney
Thomas Stanley
D'Wana R. Terry
Scot Stone
Michael Pollack