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April 8, 2004

Marlene H. Dortch
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz
Band, IB Docket No. 02-380**

Dear Ms. Dortch:

Earlier today, representatives of the Satellite Industry Association (“SIA”), including David Cavossa of SIA, Catherine Hinckley of New Skies Satellites, and Carlos Nalda of Steptoe & Johnson, met with Barry Ohlson and Anne Perkins of Commissioner Adelstein’s office, as well as Stacy Robinson Fuller of Commissioner Abernathy’s office. The issues discussed at the meetings are set forth in the attached outline.

Any questions regarding this matter may be directed to the undersigned.

Respectfully submitted,
s/Carlos M. Nalda
Carlos M. Nalda

Attachment
cc (w/ att.): Barry Ohlson
Anne Perkins
Stacy Robinson Fuller

SATELLITE INDUSTRY ASSOCIATION

Unlicensed Use of the 3650-3700 MHz Band

I. INTRODUCTION

- SIA is extremely concerned about the potential for interference caused by unlicensed use of the 3650-3700 MHz band
- The 3650-3700 MHz band is a very important band for international satellite services because other countries use this portion of the global primary FSS allocation
- Existing use of the band is concentrated along the East and West Coast, comprising the most densely populated regions of the United States. However, new earth stations are not necessarily geographically limited.

II. SUBSTANTIVE INTERFERENCE ISSUES

- Extensive use of the 3650-3700 MHz band by FSS operators
 - International communications services
 - Commercial and Government communications
- Continuing licensing of new earth stations on a secondary basis, which must be protected by unlicensed users. Subsequent deployment of earth station in a area with unlicensed links may require the links to shut down.
- Significant potential interference issues into FSS receivers
 - Sensitive satellite earth station receivers are susceptible to interference
 - Unknown transmitter characteristics of unlicensed devices
 - Unknown deployment areas and orientations
 - Difficulty in identifying interference sources
 - Can't coordinate with individual unlicensed users
- Adaptive frequency hopping approach to avoid interference may not work
 - No standard uplink channel associated with a downlink channel means that unlicensed devices don't know where to "listen" before transmitting.
 - Receive-only earth stations, or earth station with asymmetrical transmissions may be subjected to interference because no transmit channel associated with receive frequencies.
- Registration requirement for high power, fixed point-to-point transmitters may assist earth station operators in locating/contacting unlicensed operators in the event of interference.