



Federal Communications Commission
Washington, D.C. 20554
September 22, 1999

Ms. Antoinette Cook Bush
Skadden, Arps, Slate, Meagher & Flom LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005-5760

Dear Toni:

We have reviewed further Diversified's plan for rain testing during Phase III submitted September 16, 1999. You have informed us that some rain testing has been completed and we have not received any reported cases of interference. Nevertheless, to further minimize any potential impact that rain tests may have on existing DBS customers, all future rain tests should be conducted from only one transmitter at a time. In addition, we request that the transmitter alternate between "on" and "off" for intervals of five minutes during rain testing. This will allow the collection of data with both the transmitter in operation and with the transmitter off. Furthermore, such operation will enable the FCC and DBS customers to better identify the source of interference, should any occur.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Burtle", written in a cursive style.

Jim Burtle
Chief, Experimental Licensing Branch
Federal Communications Commission