

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

August 10, 1995

IN REPLY REFER TO:

Mr. Robert A. Mazer
Rosenman & Colin
1300 19th Street, N.W., Suite 200
Washington, D.C. 20005
Attorney for Leo One USA Corporation

Dear Mr. Mazer:

This is in reply to your Petition to Deny filed by Leo One USA Corporation regarding the applications of Final Analysis, Inc. (FAI), Reference File Nos. 4682 through 4684-EX-PL-95 for a nonvoice, nongeostationary orbit mobile satellite system (NVNG-MSS) experiment.

The FCC does not have any provision in its rules for the consideration of Petitions to Deny concerning experimental applications filed under Part 5 of the rules. Therefore, your filing is being considered as comments on the applications.

Since your filing, FAI has made several amendments to its applications, the latest filed on June 19, 1995. This letter deals only with issues that have not been made moot by the FAI amendments.

Leo One stated that even though it fully supports the use of experimental satellite programs to determine the impact of terrestrial interference into the uplink receiver, it is unconvinced that the purpose of the proposed FAI experimental satellite is to obtain technical analysis to be used at WRC-95. FAI's experiments, though not timely with regard to providing information for the support of U.S. proposals to WRC-95, should provide the FCC with important technical information about the proposed bands that will be useful in future rulemakings and for NVNG-MSS issues remaining at WRC-97.

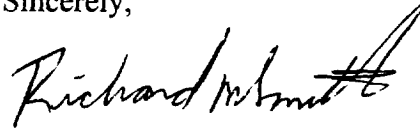
The number of remote terminals proposed by FAI has been reduced by FAI in its amendments from 9,240 to 1,848. FAI has indicated that this would provide one remote terminal per 100,000 pops. The FCC believes that a reasonable number of remote terminals are needed to fully test the uplink and to investigate sharing of spectrum with the terrestrial land mobile service. We are authorizing FAI to operate up to 350 terminals. In addition, in accordance with Section 5.206, all transmitting and receiving equipment must be owned by FAI and may not be sold to the public participating in the experiment.

Mr. Robert A. Mazer

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It is our belief that with the amendments and additional justification provided by FAI, the proposed experiment is appropriate and we are granting FAI its requested authority with the modifications indicated above.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard M. Smith". The signature is written in a cursive style with a large, stylized initial "R" and "S".

Richard M. Smith

Chief

Office of Engineering and Technology