

**Exhibit 1 – Statement in Support of Amendment to Modification to
Experimental Station Call Sign WC2XPU**

On March 4, 2002, MDS America, Incorporated (“MDS America”), requested authority from the Commission for certain modifications to MDS America’s current experimental license under Call Sign WC2XPU. See FCC File No. 0005-EX-ML-2002. MDS America hereby amends its pending application to request further modifications to its experimental license to change some antenna characteristics. Specifically, MDS America requests modification of the width of beam in degrees at the half-power point, and the orientation in the vertical plane. MDS America proposes these modifications to demonstrate further the non-interfering characteristics of its Multichannel Video Distribution and Data Service (“MVDDS”) equipment. Grant of this request to amend MDS America’s pending application to modify its experimental license will also permit MDS America to demonstrate that its MVDDS system is capable of bringing economically viable broadband services to rural America, due to the technical operating parameters of the equipment.

The Commission has stated that permitting MVDDS in the 12 GHz band would be in the public interest because it would contribute to innovations in technology and advanced services, encourage robust competition in the video programming and broadband service markets, and help provide local broadcast signals to unserved or underserved areas.¹ Given that: (1) MDS America has conducted tests under its existing experimental license without causing any harmful interference to DBS operations; (2) based on these tests and prior experience with this MVDDS equipment overseas, there is little risk to existing DBS subscribers under expanded operations; and (3) there are significant benefits that will be derived from expanded experimental operations with the MDS America MVDDS equipment, grant of MDS America’s proposed amendment to its application to modify its experimental license would serve the public interest.

¹ See *Amendment of Parts 2 and 25 of the Commission’s Rules to Permit Operation of NGSO FSS Systems Co-Frequency with GSO and Terrestrial Systems in the Ku-Band Frequency Range*, ¶ 291, ET Docket No. 98-206, FCC 00-418, First Report and Order and Further Notice of Proposed Rule Making, 16 FCC Rcd 4096 (2000).