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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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| In the Matter of Authorization of |) | |
| |) | |
| STARSYS GLOBAL |) | File Nos. 33-DSS-P-90(24) |
| POSITIONING, INC. |) | 42-DSS-AMEND-90 |
| |) | 7-DSS-AMEND-94 |
| To Construct, Launch and Operate a |) | 31-DSS-AMEND-94 |
| Non-Voice, Non-Geostationary |) | 32-DSS-LA-94 |
| Mobile Satellite System |) | 135-SAT-AMEND-95 |

Satellite Policy Branch
International Bureau

OPPOSITION OF STARSYS GLOBAL POSITIONING, INC.

Starsys Global Positioning, Inc. ("Starsys"), by its attorneys, hereby opposes the Petition filed by Leo One USA Corporation ("Leo One")¹ requesting that the Commission declare null and void the above-referenced authorization held by Starsys. Leo One's Petition should be summarily denied.

Leo One's Petition is based on a misreading of a news article and the direct disregarding of Starsys's prior statements on this subject. Leo One asserts that the Starsys authorization² is subject to cancellation for failure to comply with the milestone schedule. Specifically, Leo One claims that Starsys has not complied with the requirement in the authorization that Starsys commence construction of the first two satellites in its system by November 1996. Petition at 2-3. Leo One

¹ Petition of Leo One USA Corporation filed Feb. 12, 1997 (hereinafter, "Petition").

² *STARSYS Global Positioning, Inc.*, 11 FCC Rcd 1237 (Int'l Bur. 1995) (hereinafter, "Starsys Authorization").

also argues that the Starsys milestones should be strictly construed because grant of the Starsys authorization was delayed pending resolution of alien ownership issues. *Id.* at 4-6.

Both of Leo One's assertions are baseless and can be dealt with briefly. As Starsys stated when Leo One first raised this issue in the context of the pending rulemaking proceeding, Starsys has met its construction commencement milestone.³ Starsys has a contract with Alcatel Espace in force that will permit Starsys to meet the construction completion and launch dates specified in the Starsys Authorization.

Leo One cites to a recent *Space News* article regarding the Starsys system in support of its allegations and attaches the article to its Petition. Starsys does not need to comment on errors in that story. It is sufficient to note that Leo One simply ignores statements in the article from both GE Americom and Alcatel confirming the existence of the satellite construction contract and indicating that work on the Starsys project is on track. Instead, Leo One focuses on a statement by a subcontractor suggesting that it has only a memorandum of understanding with Alcatel. Petition at 2-3. However, it is Starsys' contract with Alcatel that is relevant here.

It goes without saying that Leo One's arguments about events that occurred before grant of the Starsys Authorization are also irrelevant. The changes

³ See Reply Comments of Starsys Global Positioning Inc. and GE American Communications, Inc. in IB Docket No. 96-220 at 2 n.1 (filed Jan. 13, 1997).


in the Starsys ownership structure that occurred prior to issuance of the Starsys Authorization were expressly found by the Bureau to be in the public interest. Starsys Authorization, 11 FCC Rcd at 1238-39. They simply have no bearing on interpretation of Starsys' milestone schedule.

Thus, Starsys is in full compliance with the requirements of its authorization. Leo One has presented no evidence to the contrary, and its Petition should be denied.

Respectfully submitted,

STARSYS GLOBAL POSITIONING, INC.

Philip V. Otero
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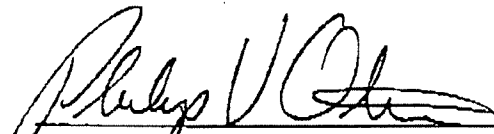
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February 26, 1997

DECLARATION OF PHILIP V. OTERO

I, Philip V. Otero, Secretary of Starsys Global Positioning, Inc., have reviewed the foregoing "Opposition of Starsys Global Positioning, Inc." and hereby declare under penalty of perjury that the facts and conclusions set out therein are true and correct to the best of my knowledge, information and belief.

Executed on February 26, 1997


Philip V. Otero

CERTIFICATE OF SERVICE

I, hereby certify that on this 26th day of February, 1997, I caused to be served by hand delivery, copies of the foregoing "Opposition Of Starsys Global Positioning, Inc.", addressed to the following:

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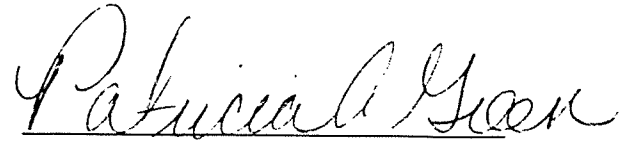
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