



Federal Communications Commission
Washington, D.C. 20554

February 7, 2002

VIA FACSIMILE AND U.S. MAIL

John P. Stern, Esq.
Loral Space & Communications, Ltd.
1755 Jefferson Davis Highway
Suite 1007
Arlington, VA 22202

Re: File Nos. 205/206-SAT-AMEND-95
IBFS File Nos. SAT-AMD-19950929-00157/158

Dear Mr. Stern:

On December 20, 2000 the International Bureau (Bureau) authorized Loral CyberStar, Inc. ("Loral") to launch and operate two satellites in the geostationary-satellite orbit to provide fixed satellite service in the Ka-band. Specifically, Loral was authorized to launch and operate Orion F11 at the 67° W.L. orbit location, and to launch and operate Orion F12 at the 126.5° E.L. orbit location.¹ At this time we also assigned implementation milestones for the construction, launch, and operation of the satellite system. The license provides that failure to meet any of the implementation milestones will render the satellite authorization null and void. The first implementation milestone requires Loral to commence construction of its first satellite by December 2001.²

To satisfy the construction commencement milestone for satellite licenses, the Commission requires the execution of a non-contingent construction contract. The "non-contingent" requirement contemplates that there will be neither significant delays between the execution of the construction contract and the actual commencement of construction, nor conditions precedent to construction.³

In order for the Commission to determine whether Loral has complied with this milestone condition of its license, please submit a copy of an executed contract verifying that construction has commenced and that Loral's satellites will be built within the time frame specified in Loral's license. This information must be filed with the Commission's Secretary by February 19, 2002, with a hand delivered courtesy copy to Alyssa Roberts of my staff. Failure to provide this information by this


¹ Loral CyberStar, Inc., Application for Authority to Construct, Launch and Operate a Ka-band Satellite System in the Fixed-Satellite Service, *Order and Authorization*, 15 FCC Rcd 24602 (Int'l Bur. 2000).

² *Id.* at 24609.

³ See PanAmSat Licensee Corp., Application for Authority to Construct, Launch, and Operate a Ka-Band Communications Satellite System in the Fixed-Satellite Service at Orbital Locations 58° W.L. and 125° W.L., *Memorandum Opinion and Order*, 15 FCC Rcd 18720 (Int'l Bur. 2000) *aff'd*, 16 FCC Rcd 11534 (2001).

date shall render Loral's Ka-band license null and void. Please contact Alyssa Roberts at (202) 418-7276 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Fern J. Jarmulnek". The signature is written in a cursive style with a large, stylized "F" and "J".

Fern Jarmulnek
Deputy Chief
Satellite and Radiocommunication Division