



Federal Communications Commission
Washington, DC 20554

International Bureau

August 16, 2002

VIA U.S. MAIL AND FACSIMILE: (202) 887-0763

Cheryl A. Tritt, Esq.
Counsel to ICO Satellite Services G.P.
Morrison and Foerster, LLP
2000 Pennsylvania Avenue, NW
Suite 5500
Washington, DC 20006-1888

Re: ICO Satellite Services G.P.
File No. 188-SAT-LOI-97; IBFS File Nos. SAT-LOI-19970926-00163; SAT-AMD-
20000612-00107; SAT-AMD-20001103-00155

Dear Ms. Tritt:

On July 17, 2001, the International Bureau ("Bureau") authorized ICO Services Limited ("ICO"), the predecessor-in-interest to ICO Satellite Services G.P., to provide mobile-satellite service ("MSS") to U.S. consumers from a United Kingdom-licensed satellite in the 2 GHz band.¹ In this Order, we assigned implementation milestones for the construction, launch, and operation of the satellite system. To satisfy the first construction implementation milestone for 2 GHz MSS authorizations, the Bureau required ICO to enter into a non-contingent satellite manufacturing contract by July 17, 2002.² The execution of a contract that does not provide for complete construction of the satellites in question by a specified date consistent with the authorization's milestone deadline for making its system fully operational cannot satisfy a construction commencement milestone requirement.³

By your letter dated October 15, 2001, ICO certified that it satisfied the first construction milestone by entering into a satellite manufacturing contract with Boeing Satellite Systems International, Inc. (formerly Hughes Space and Communications International, Inc.), effective October 3, 1995 ("October 1995 Contract"). In order for the Commission to determine whether the October 1995 Contract complies with the first construction milestone condition of ICO's authorization, please submit a copy of the signed executed October 1995 Contract, verifying that construction of ICO's satellites will be complete within a time frame consistent with the authorization's milestone deadline for making ICO's system fully operational. This submission

¹ ICO Services Limited, Letter of Intent to Provide Mobile-Satellite Service in the 2GHz Bands, *Order and Authorization*, DA 01-1635, 16 FCC Rcd 13762 (Int'l Bur./OET 2001).

² *Id.* at ¶ 34.

³ See Mobile Communications Holdings, Inc., *Memorandum Opinion and Order*, DA 02-1468, 17 FCC Rcd 11898 at ¶ 11 (Int'l Bur. 2002); see also Morning Star Satellite Company, L.L.C., *Memorandum Opinion and Order*, FCC 01-179, 16 FCC Rcd 11550 at ¶ 5 (2001), *aff'g* DA 00-1265, 15 FCC Rcd 11350 at ¶ 8 (Int'l Bur. 2000).

should also include a copy of the Statement of Work as well as technical specifications. This information must be filed with the Commission's Secretary by **August 26, 2002**, with a hand delivered courtesy copy to Howard Griboff of my staff.

Please contact Howard Griboff at (202) 418-0657 if you have any questions.

Sincerely,



Fern J. Jarmulnek
Deputy Chief, Satellite Division
International Bureau

cc: Gerry Salemme
Lawrence H. Williams
A. Suzanne Hutchings