



Federal Communications Commission
Washington, DC 20554

International Bureau

July 18, 2002

VIA FACSIMILE AND U.S. MAIL

Mr. Robert A. Mazer, Esq.
Vinson & Elkins, L.L.P.
1455 Pennsylvania Ave., NW,
Suite 600
Washington, DC 20004-1008

Re: Constellation Communications Holdings, Inc. File Nos: 181-SAT-P/LA-97(46), IBFS Nos. SAT-LOA-19970926-00148; SAT-AMD-19991230-00134; SAT-AMD-20001103-00152

Dear Mr. Mazer:

On July 17, 2001, the International Bureau ("Bureau") authorized Constellation Communications Holdings, Inc ("Constellation") to construct, launch and operate a non-geostationary satellite system to provide mobile-satellite service ("MSS") in the 2 GHz band.¹ In this Order, we 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. Constellation is also required to file a certification with the Commission within 10 days following each milestone.

To satisfy the first construction implementation milestone for 2 GHz MSS licenses, the Commission requires the execution of a non-contingent construction contract by July 17, 2002.² 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 Constellation has complied with this milestone condition of its license, please submit a copy of the signed executed contract that satisfies Constellation's obligations under the first milestone and verifies Constellation's satellites will be built within the time frame specified in Constellation's license. This submission should also

¹ Constellation Communications Holdings, Inc., Application Concerning Use of the 1990-2025/2165-2200 MHz and Associated Frequency Bands for a Mobile-Satellite System, *Order and Authorization*, 16 FCC 13724 (Int'l Bur. 2001)(DA 01-1633).

² *Id.* at ¶ 27.

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).

include a copy of the Statement of Work as well as technical specifications. This information must be filed with the Commission's Secretary by **July 29, 2002**, with a hand delivered courtesy copy to Howard Griboff of my staff. Failure to provide this information by this date shall render Constellation's 2 GHz MSS license null and void. Please contact Howard Griboff at (202) 418-0657 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Cassandra C. Thomas".

Cassandra C. Thomas
Deputy Chief, Satellite Division