



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

INTERNATIONAL BUREAU

February 11, 1997

Mr. James Moffat  
84 Old Orchard Lane  
Orchard Park, New York 14127

154 - SAT - DRZ - 96

Dear Mr. Moffat:

This is in response to your petition regarding your municipality's precluding you from installing a 7'6" satellite dish on your property. I am writing to inform you of the recent developments in federal satellite antenna regulation.

On February 8, 1996, Congress passed the Telecommunications Act of 1996. Section 207 of the Act authorizes the Commission to draft rules to protect individuals' right to receive television and satellite broadcast signals by means of over-the-air reception devices. On August 6, 1996, in accordance with Section 207, the Commission issued a Report and Order that preempts restrictions on the installation of a satellite dish one meter or less in size. A copy of this Report and Order is enclosed.

On March 11, 1996, the Commission issued a Report and Order dealing with satellite dishes that are larger than one meter in diameter. A copy of this Report and Order is enclosed as well. As it is presently written, the Order presumptively allows installation of dishes that are two meters or less in diameter "in any area where commercial or industrial uses are generally permitted by nonfederal land-use regulation." See Report and Order FCC 96078 at 16. This Order is currently under review. The Commission solicited comments on this Report and Order to assist in this process. Once the review of all comments is completed, we will release a revised rule.

I hope that this information has been of assistance. Please contact me if you should have any further difficulties.

Sincerely,

A handwritten signature in cursive script that reads "Fern J. Jarmulnek".

Fern J. Jarmulnek  
Branch Chief  
Satellite Policy Branch

Federal Communications Commission (F.C.C.)

Public Notice

SATELLITE POLICY BRANCH INFORMATION: APPLICATIONS ACCEPTED FOR FILING  
Report No. SPB-58

September 12, 1996

The applications listed below have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of the applications if, upon further examination, it is determined the application is not in conformance with the Commission's Rules or its policies. Petitions, oppositions and other pleadings filed in response to this notice should conform to Section 25.154 of the Commission's rules, unless otherwise noted. 47 C.F.R. s 25.154.

Final Analysis Communications Services, Inc. File No. 151-SAT-AMEND-96

Final Analysis Communications Services, Inc. has filed an amendment to its pending application for a non-voice, non-geostationary low Earth orbit mobile satellite system. This amendment contains updated financial data for Final Analysis.

James Moffat File No. **154-SAT-DRZ-96**  
Orchard Park, NY

On September 6, 1996, the Commission received the Petition of James Moffat for a Declaratory Ruling that a zoning ordinance of the Town of Orchard Park, NY be preempted pursuant to Section 25.104 of the Commission's Rules, 47 C.F.R. s 25.104. Comments should be filed in accordance with Public Notice, Report No. SPB-41 (April 17, 1996).

ACTIONS TAKEN: IB Docket No. 96-132 - Establishing Rules and Policies for the Use of Spectrum for Mobile Satellite Service in the Upper and Lower L-Band AMSC Subsidiary Corporation's Request for Extension to Time to file comments was granted verbally August 26, 1996 and confirmed by letter on September 5, 1996. Interested parties may file comments on or before September 17, 1996; replies are due no later than October 5, 1996.