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2300 N Street, N.W. Washington, D.C. 20037-1128 202.663.8000 Facsimile 202.663.8007

JILL ABESHOUSE STERN, P.C. 202.663.8380 jıll\_stern@shawpittman.com 1675 Broadway New York, NY 10019-5820

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August 25, 1997

Mr. William Caton Secretary Federal Communications Commission 1919 M Street, N.W. Washington, D.C. 20554

Re: Mobile Communications Holdings, Inc. 158-SAT-AMEND-96 et al.

Dear Mr. Caton:

On behalf of Mobile Communications Holdings, Inc., I am transmitting herewith an original and four copies of its "Motion to Strike" the August 12, 1997 Comments of Motorola Satellite Communications, Inc. with respect to the General Counsel's June 27, 1997 decision in connection with the above-referenced matter.

Should there be any questions concerning this matter, kindly communicate with the undersigned.

Sincerely,

fill) Abeshouse Stern

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

In re Application of	)
MOBILE COMMUNICATIONS HOLDINGS, INC.	) File Nos. 11-DSS-P-91; ) 18-DSS-P-91; ) 11-SAT-LA-95;
For Authority to Construct, Launch, and Operate a Low Earth Orbit Satellite System in the 1610-1626.5 MHz/2483.5-2500 MHz Bands	) 12-SAT-AMEND-95 ) 158-SAT-AMEND-96 ) )

## MOTION TO STRIKE

Mobile Communications Holdings, Inc. ("MCHI"), by its attorneys, hereby submits its Motion to Strike the August 12, 1997 Comments of Motorola Satellite Communications, Inc. ("Motorola"). Motorola's Comments are ostensibly filed in support of the July 28, 1997 Applications for Review of TRW Inc. ("TRW") and L/Q Licensee, Inc. ("LQL") with respect to the General Counsel's June 27, 1997 decision. In support whereof, the following is shown.

1. Motorola failed to submit an application for review on the filing deadline (July 28, 1997). The Commission's rules do not authorize comments in support of an application for review. To the contrary, in connection with applications for review, Rule 1.115 expressly authorizes only the filing of oppositions and replies. Thus, having failed to meet the procedural deadline, Motorola should not be permitted to file an unauthorized pleading, which serves no apparent purpose and which merely restates arguments previously made by TRW and LQL.

2. Motorola fails to raise any new arguments in its Comments. All of its arguments were made by TRW or LQL in their respective Applications for Review. Those arguments were fully addressed in MCHI's August 12, 1997 Consolidated Opposition to Applications for Review, which is incorporated herein by this reference.

3. Motorola provides one additional piece of misinformation which needs to be corrected. In its Comments, Motorola tries to suggest that MCHI was involved with a "recently disclosed" letter from Congressmen Davis, Moran and Goodlatte. In fact, MCHI immediately wrote to the Commission on June 13, 1997 to disavow any involvement in or connection to this letter when the letter was brought to MCHI's attention by Constellation's counsel. Not only does Motorola wrongly attempt to associate this letter with MCHI, but it inaccurately claims to have been unaware of this letter until a month after the licensing decision despite MCHI's earlier notification letter which was served on all parties.

For reasons stated, the Commission should promptly strike the unauthorized and factually inaccurate Comments submitted by Motorola on August 12, 1997.

Respectfully submitted,

MOBILE COMMUNICATIONS HOLDINGS, INC.

By:

ill Abeshouse Stern

Shaw, Pittman, Potts & Trowbridge

2300 N Street, N.W.

Washington, D.C. 20037-1128

(202) 663-8380

Its Attorneys

August 25, 1997

## CERTIFICATE OF SERVICE

I, Jeanette Solomon, do hereby certify that a true and correct copy of the foregoing document was sent by first-class mail, postage prepaid, or hand-delivered, on this 25th day of August, 1997, to the following persons:

- \* Chairman Reed E. Hundt
  Federal Communications Commission
  1919 M Street, N.W., Room 814
  Washington, D.C. 20554
- \* Commissioner James H. Quello Federal Communications Commission 1919 M Street, N.W., Room 802 Washington, D.C. 20554
- \* Commissioner Rachelle B. Chong Federal Communications Commission 1919 M Street, N.W., Room 844 Washington, D.C. 20554
- \* Commissioner Susan Ness Federal Communications Commission 1919 M Street, N.W., Room 832 Washington, D.C. 20554
- \* William E. Kennard, Esq.
  General Counsel
  Federal Communications Commission
  1919 M Street, N.W., Room 614
  Washington, D.C. 20554
- \* John Riffer
  Federal Communications Commission
  1919 M Street, N.W., Room 610
  Washington, D.C. 20554
- \* Peter Cowhey
  Chief, International Bureau
  Federal Communications Commission
  2000 M Street, N.W., Room 800
  Washington, D.C. 20554

- \* Thomas Tycz
  Chief, Satellite & Radio Communications Division
  Federal Communications Commission
  2000 M Street, N.W., Room 800
  Washington, D.C. 20554
- \* Karl Kensinger Federal Communications Commission 2000 M Street, N.W. Room 514 Washington, D.C. 20554
- William Bell
   Federal Communications Commission
   2000 M Street, N.W.,
   Room 508
   Washington, D.C. 20554

Philip Malet, Esq. Steptoe & Johnson, L.L.P. 1330 Connecticut Avenue, N.W. Washington, D.C. 20036-1795

\* Hand Delivered

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Jeanes Blom