

Vinson & Elkins  
ATTORNEYS AT LAW

VINSON & ELKINS L.L.P.  
THE WILLARD OFFICE BUILDING  
1455 PENNSYLVANIA AVE., N.W.  
WASHINGTON, D.C. 20004-1008  
TELEPHONE (202) 639-6500  
FAX (202) 639-6604

RECEIVED

OCT 7 - 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

WRITER'S TELEPHONE  
(202) 639-6755

October 7, 1998

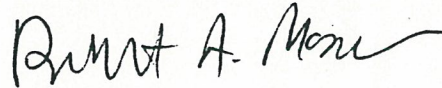
Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20054

Re: Constellation Communications, Inc.  
File Nos. 159-SAT-Amend-96  
11-SAT-LA-95  
10-SAT-AMEND-95  
CSS-91-013  
17-DSS-P-91(48)

Dear Ms. Salas:

Constellation Communications, Inc. ("CCI"), by its counsel, hereby submits an Affidavit of CCI President and CEO, C. J. Waylan, clarifying CCI's July 2, 1998 certification that CCI had met the first construction milestone specified in paragraph 29 of the *Order and Authorization*, 12 FCC Rcd 9641 (1997), granting CCI a license to construct, launch and operate a Mobile Satellite Service system in the 1.6/2.4 GHz frequency bands. Any questions concerning this Affidavit should be directed to the undersigned.

Respectfully submitted,



Robert A. Mazer /RB  
Counsel to Constellation Communications, Inc.

RAM:dks  
Enclosure

cc: Thomas S. Tycz  
William H. Bell

**AFFIDAVIT  
of  
C. J. WAYLAN**

I, C. J. Waylan, hereby certify that:

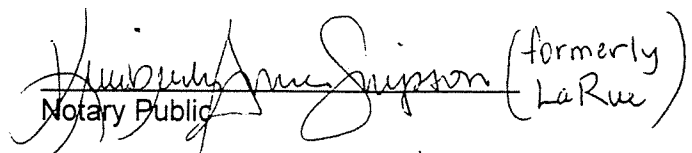
1. I am President and CEO of Constellation Communications, Inc. ("CCI").
2. On July 1, 1997, the FCC granted CCI a license to construct, launch and operate a Mobile Satellite Service ("MSS") system operating in the 1.6 / 2.4 GHz frequency bands. See *Order and Authorization*, 12 FCC Rcd 9641 (1997) ("CCI License Order").
3. On June 30, 1998, a non-contingent satellite construction contract was executed with Orbital Sciences Corporation ("OSC") for the construction of the CCI system. On that date, CCI submitted a certification to the Commission confirming that CCI has met the construction milestone specified in paragraph 29 of the CCI License Order requiring commencement of construction of the initial two satellites of the CCI system by July 1998.
4. Actual construction of the CCI satellites commenced upon execution of the satellite construction contract and construction progress payments have been made to OSC in accordance with the terms of that contract.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 6, 1998.

  
C. J. Waylan

**Commonwealth of Virginia  
County of Fairfax**

Subscribed and sworn to before me this 6<sup>th</sup> day of October, 1998.

  
Notary Public (formerly LaRue)  
My Commission Expires: 01/30/01