

Commission a petition for rulemaking and request for pioneer's preference wherein it proposes to reallocate frequencies in the Ka-band to a General Satellite Service and requests that its application be awarded a pioneer's preference under the Commission's recently-proposed pioneer's preference plan (petition). 1/

By Public Notice released October 3, 1990, Norris' application was accepted for filing and November 8, 1990 was established as the date for filing petitions or comments on that application. 2/ Norris' petition was placed on public notice on October 12, 1990. 3/ Pursuant to Section 1.405 of the Commission's rules, statements opposing or supporting petitions for rulemaking may be filed within thirty days of the public notice. Accordingly, comments on Norris' petition must be filed by November 12, 1990 -- two business days after the date for filing petitions or comments on the Norris application.

The substantive issues raised by Norris' application and its petition are inextricably interlinked. Whether Norris' application can or should be granted will be determined in part by the disposition of its rulemaking petition and pioneer's

1/ Establishment of Procedures to Provide a Preference to Applicants Proposing an Allocation for New Services, (Notice of Proposed Rulemaking), 5 FCC Rcd 2766 (1990).

2/ Public Notice, DS-1009, mimeo no. 5036.

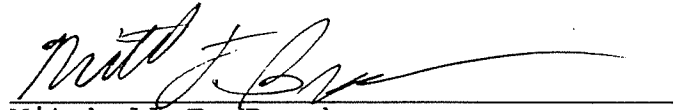
3/ Public Notice - Petitions for Rulemaking Filed, Report No. 1827, mimeo no. 10155.

preference request. Indeed the application and petition cannot be meaningfully evaluated separate from each other.

Undersigned counsel has contacted counsel for Norris who has indicated that Norris has no objection to the consolidated pleading cycle proposed herein.

Accordingly, GTE Spacenet respectfully moves the Commission to designate November 12, 1990 as the deadline for filing petitions and comments on Norris' application and comments on Norris' petition for rulemaking, and that the Commission establish appropriate dates for responsive pleadings (oppositions and replies to oppositions on the application and reply comments on the petition).

Respectfully submitted,
GTE SPACENET CORPORATION



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Its Attorney

October 26, 1990

CERTIFICATE OF SERVICE

I, Bonnie J. Boling, DO HEREBY CERTIFY that true and correct copies of the foregoing **Motion to Consolidate Pleading Cycles** have been served by hand, on this 26th day of October, 1990 to parties listed below:

- * Richard M. Firestone, Esquire
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* By Hand