

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

IN REPLY REFER TO:
1600B3

November 2, 1994

Catalano & Jarvis, P.C.
1101 30th Street, N.W.
Suite 300
Washington, D.C. 20007

Attention: Albert J. Catalano

Reference: Motion for Extension of Time to File Comments, filed by Final Analysis, Inc.

Dear Mr. Catalano:

In the above-reference Motion filed on behalf of Final Analysis, Inc. (FAI), the company requested that the Commission extend until December 16, 1994 the date by which parties must file comments regarding the application of LEO ONE USA Corporation (LEO ONE) to provide non-voice, non-geostationary (NVNG) mobile-satellite services. On September 16, 1994, the Commission issued a Public Notice accepting LEO ONE's NVNG application for filing, and calling for comments on that application on or before November 16, 1994. Replies were required by December 16, 1994, and responses were due by January 6, 1995. By that same Notice, the Commission established a November 16, 1994 cut-off deadline for submitting applications to be considered concurrently with LEO ONE's application.

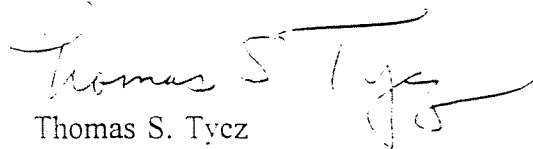
FAI states that parties intending to prepare and file their own applications are also likely to comment on LEO ONE's application. FAI asserts that a one month extension to file comments will allow those parties that are now preparing applications sufficient time to evaluate properly and comment upon the contents of LEO ONE's application, and will synchronize the Commission's pleading cycle for the LEO ONE and all other second round applicants. FAI further states that this will allow the parties to comment on the technical interplay among all applications in the processing group. Finally, FAI alleges that grant of its request will not cause any meaningful delay in the processing of LEO ONE's application. EYETEL International Ltd. supports FAI's Motion.

LEO ONE opposes this request, noting initially that a 60 day period has historically been considered by the Commission to be sufficient time in which to comment on satellite applications. LEO ONE further asserts that a 30-day delay in the comment cycle regarding its application will not result in a uniform pleading cycle at the Commission, since comments regarding other second round applications are unlikely to be due as early as December 16. Further, LEO ONE sees no benefit in seeking simultaneous comment on all applications in an effort to examine the technical interplay among the applications. LEO ONE notes that it filed its application without knowledge of any of the competing proposals, and the November 16 applicants will file their proposals with knowledge only of LEO ONE's application. Accordingly, LEO ONE reasons, there has been no opportunity to resolve technical conflicts among the applicants at this juncture, and comments regarding such resolution are premature.

We do not believe that FAI has sufficiently justified its extension request. We believe that our customary 60 day comment period is sufficient to analyze and comment upon technically complex satellite applications. Further, we agree with LEO ONE that grant of this extension request will not result in a uniform pleading cycle at the Commission, since the comment period on the November 16 applications is likely to extend beyond the 16th of December. Finally, we see no particular benefit to be gained from analyzing, at this point, the technical interplay among applications that were not designed to be compatible with each other. Our focus in analyzing the second round applications will be whether these systems will be designed, in accordance with our rules, to co-exist with previously licensed systems. Issues of compatibility among the second round proposals can be considered after we determine which applications meet our rules. We thus see no reason to delay comment on the pending application of LEO ONE.

Accordingly, pursuant to Section 0.261 of the Commission's Rules, the request of Final Analysis, Inc. for an extension of time in which to comment on the application of LEO ONE USA Corporation is DENIED.

Sincerely,



Thomas S. Tycz
Chief, Satellite and
Radiocommunication Division
International Bureau

cc: Peter Tannenwald
Robert A. Mazer

Exhibit 3: Leo One Frequency Conflicts

LEO ONE FREQUENCY CONFLICTS

Frequencies Requested In September 1, 1994 Application	Frequencies Requested In November 16, 1994 Amendment	Effect
	137.0000-137.0250 MHz	Created new interference with STARSYS
137.3375-137.3625 MHz	137.3375-137.3625 MHz	Continues to interfere with the MetSats
	137.4050-137.4300 MHz	Created new interference with STARSYS
	137.4320-137.4570 MHz	Created new interference with STARSYS
	137.4600-137.4850 MHz	Created new interference with STARSYS
137.4875-137.5125 MHz	137.4875-137.5125 MHz	Continues to interfere with the MetSats
137.6075-137.6325 MHz	137.6075-137.6325 MHz	Continues to interfere with the MetSats
137.6395-137.6645 MHz		(Deleted)
137.6675-137.6925 MHz		(Deleted)
137.6955-137.7205 MHz		(Deleted)
137.7235-137.7485 MHz		(Deleted)
137.7575-137.7825 MHz	137.7575-137.7825	Continues to interfere with the MetSats

Certificate of Service

I, Ronald J. Jarvis, an attorney in the law firm of Catalano & Jarvis, P.C., hereby certify that on this 19th day of April, 1995, I caused a true and complete photocopy of the foregoing "Consolidated Reply to Comments and Opposition to Motion to Dismiss " to be sent, via U.S. first class mail, postage prepaid, to the following:

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