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August 11, 2003

Tricia Paoletta
 202.719.7532
 tpaoletta@wrf.com

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

1776 K STREET NW
 WASHINGTON, DC 20006
 PHONE 202.719.7000
 FAX 202.719.7049

Virginia Office
 7925 JONES BRANCH DRIVE
 SUITE 6200
 McLEAN, VA 22102
 PHONE 703.905.2800
 FAX 703.905.2820

www.wrf.com

Ms. Marlene H. Dortch, Secretary
 Federal Communications Commission
 236 Massachusetts Avenue, N.E., Suite 110
 Washington, DC 20002

Received
 SEP 05 2003

Re: Ex Parte Presentation; Final Analysis Communication ^{Policy Branch} ~~International Bureau~~ Services, Inc.
 Amendment to Petition for Waiver and Modification to Extend Milestones
 (filed June 6, 2003); Petition for Waiver (filed Mar. 29, 2002); File Nos.
 SAT-LOA-19941116-00088; SAT-AMD-19950224-00033; SAT-AMD-
 19960223-00031; SAT-AMD-19960819-00107; SAT-AMD-19971030-
 00175; SAT-MOD-20020329-00245

25-SAT-PLA-95

Dear Ms. Dortch:

On behalf of New York Satellite Industries, LLC ("NYS"), I am filing this notice of an *ex parte* communication with Thomas Tycz, Jackie Ruff, Cassandra Thomas, Karl Kensinger and Mark Young of the Federal Communication Commission's ("FCC" or "Commission") International Bureau ("IB" or "Bureau") on August 7, 2003 discussing the above-referenced application.¹ New York Satellite Industries, LLC ("NYS") was represented by Nader Modanlo, Managing Member, and Patricia Paoletta and Jennifer Hindin of Wiley Rein & Fielding LLP, as counsel. NYS' subsidiary and FCC licensee, Final Analysis Communication Services, Inc. ("FACS"), was represented by Jan Friis and Robert Crenshaw and Randy Sifers of Kelly Drye, as counsel and Amy Mehlman of Capitol Coalitions.

In furtherance of grant of the milestone extension and modification request, NYS and FACS notified the Bureau of FACS' progress to date on deploying its licensed low-earth orbit satellite system, including recent meetings with investors and potential customers. FACS noted that it met a week ago with its launch provider and satellite construction contractor. Later this month, FACS will meet with potential investors from a third country for Little LEO service provision within their country.

The participants at this meeting reviewed FACS' participation at the World Radio Conference 2003 ("WRC '03") and the outcome of Agenda Item 1.16. Specifically, FACS noted that the U.S. had submitted completed sharing studies to WRC '03, as contemplated in US368 of Section 2.106 of the FCC Rules establishing the feeder link allocation in the 1.4 GHz band for Non-Voice Non-Geostationary Mobile

¹ 47 C.F.R. §1.1206.

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Satellite Service. The participants reviewed implementation of WRC Resolution COM 5/14 and the means to authorize FACS' use of the feeder links allocated by that Resolution.

In addition, FACS apprised the Commission of the current status of a civil lawsuit in the State of Maryland involving FACS. FACS apprised the International Bureau that throughout the lawsuit, FACS has continued and will continue its normal business operations, noting its participation at the WRC '03, which resulted in the allocation for Little LEO feederlinks. FACS assured the Bureau that the suit would not interrupt progress on constructing its satellite system.

Finally, FACS urged the FCC to grant promptly its extension request.

Please do not hesitate to contact the undersigned with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tricia Paoletta', with a long horizontal flourish extending to the right.

Tricia Paoletta

cc: Tom Tycz
Jackie Ruff
Cassandra Thomas
Karl Kensinger
Mark Young
Bryan Tramont
Jennifer Manner
Sam Feder
Paul Margie
Barry Ohlson