

KELLEY DRYE & WARREN LLP
A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

MAY 15 1998

1200 19TH STREET, N.W.

SUITE 500

WASHINGTON, D. C. 20036

(202) 955-9600

Federal Communications Commission
Office of Secretary
(202) 955-9792

NEW YORK, N.Y.
LOS ANGELES, CA.
MIAMI, FL.
CHICAGO, IL.
STAMFORD, CT.
PARSIPPANY, N.J.

BRUSSELS, BELGIUM
HONG KONG

AFFILIATED OFFICES
NEW DELHI, INDIA
TOKYO, JAPAN

Received

MAY 27 1998

AILEEN A. PISCIOTTA

Satellite Policy Branch
International Bureau
DIRECT LINE (202) 955-9771

May 15, 1998

Hand Delivery

Regina M. Keeney
Chief, International Bureau
Federal Communications Commission
2000 M Street, N.W.
Washington, D.C. 20554

25-SAT-P/LA-95,
et al


Re: Final Analysis Communication Services, Inc.

Dear Ms. Keeney:

On behalf of Final Analysis Communication Services, Inc. ("Final Analysis"), this letter conveys a facsimile copy of a letter dated May 15, 1998 from Nader Modanlo, President, complying with the certification condition set forth in Paragraph 80 of its *Order and Authorization*, DA 98-616.¹

On May 14, 1998, Final Analysis filed a Petition for Reconsideration of the Denial Order, as well as an Emergency Motion for Stay *Pendente Lite* until seven (7) days after the Bureau rules on reconsideration. The Bureau has not acted on the May 14, 1998 filings. Therefore, out of an abundance of caution, and without prejudice to any pending proceedings, the company is filing this certificate.

Respectfully,



Aileen A. Pisciotta
Its Attorney

¹ The deadline for filing the certificate was initially extended to May 8, 1998, *Final Analysis Communication Services, Inc.* Order, DA 98-838 (rel. May 1, 1998). The Bureau extended the date again to May 15, 1998 in its order denying Final Analysis's Request for Clarification or Stay of the Certification Condition. *Final Analysis Communication Services, Inc.*, Order, DA 98-881 (rel. May 8, 1998) ("Denial Order").



RECEIVED

MAY 15 1998

Federal Communications Commission
Office of Secretary

May 15, 1998

HAND DELIVERY

Regina M. Keeney
Chief, International Bureau
Federal Communications Commission
2000 M Street, N.W.
Washington, DC 20554

Re: *Certification by Final Analysis Communication Services, Inc.*

Dear Ms. Keeney:

On April 1, 1998, the International Bureau issued an *Order and Authorization* to Final Analysis Communication Services, Inc. ("Final Analysis") to construct, launch, and operate a non-voice, non-geostationary mobile satellite system.¹ Pursuant to the requirement contained in that *Order and Authorization*, Final Analysis hereby certifies that its present intention is to proceed in compliance with the authorization, including participation in the coordination process using the authorized technical parameters.

As the International Bureau has recognized, this certification is made without prejudice to any of Final Analysis' rights with respect to administrative or judicial review of the *Order and Authorization*, including but not limited to the currently pending Application for Review filed by Final Analysis on May 1, 1998.² As the Bureau has also recognized, this certification is made without prejudice to Final Analysis' right to seek modifications of the authorized system in order to improve the technical and economic viability of the satellite constellation.³

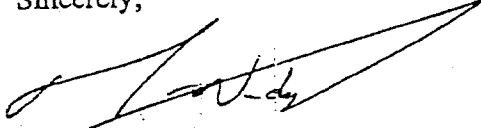
¹ *Final Analysis Communications Services, Inc.*, DA 98-616 (Int'l Bur, rel. April 1, 1998). The date for making the required certification was postponed on two occasions, and ultimately set for May 15, 1998.

² See *Final Analysis Communications Services, Inc.*, DA 98-881 at ¶ 6 (Int'l Bur., rel. May 8, 1998) (clarifying that by filing the requested certification, "Final Analysis does not waive its right to Commission or judicial review of the *Order and Authorization*").

³ See *Order and Authorization* at ¶ 80 (discussing impact of additional request for system modifications).

We look forward to continuing to work with the Bureau toward the expeditious realization of a more competitive and vibrant Little LEO industry.

Sincerely,



Nader Modanlo
Chairman and President
Final Analysis Communications Services, Inc.