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June 13, 2005

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RECEIVED

JUN 13 2005

BY HAND DELIVERY

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St., S.W.
Washington, DC 20554

Federal Communications Commission
Office of Secretary

Received

JUN 20 2005

Policy Branch
International Bureau

Re: SAT-LOI-20050312-00062, SAT-LOI-20050312-00063

Dear Ms. Dortch:

Spectrum Five LLC (the "Applicant") filed a petition for declaratory ruling requesting authority to provide direct broadcast satellite ("DBS") service to the United States from Netherlands-licensed satellites located at 114.5° W.L.¹ Section 1.1206(a)(3) of the rules of the Federal Communications Commission ("Commission"), 47 C.F.R. §1.1206(a)(3), identifies a "declaratory ruling proceeding" as "permit-but-disclose" for the purposes of the agency's *ex parte* rules. Therefore, Applicant, by its attorneys, files this letter to confirm that *ex parte* presentations to or from Commission decision-making personnel are permissible in this proceeding provided that such presentations are disclosed as provided in Section 1.1206(b) of the rules, 47 C.F.R. §1.1206(b).

Please contact the undersigned if you have any questions.

Respectfully submitted,

Todd M. Stansbury
Jennifer D. Hindin
Counsel for Spectrum Five LLC

cc (by email): Thomas Tycz, FCC
Arthur Lechtman, FCC
William M. Wiltshire, Counsel for DIRECTV
Peter Rohrbach, Counsel for EchoStar
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¹ Public Notice, Policy Branch Information, Satellite Space Applications Accepted for Filing, Report No. SAT-00284, File Nos. SAT-LOI 20050302-00062 and SAT-LOI 20050302-00063 (Apr. 15, 2005). Several parties filed comments or objections.