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June 23, 2005

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VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RECEIVED Received
JUN 23 2005 JUN 28 2005
Federal Communications Commission Policy Branch
Office of Secretary International Bureau

Re: File Nos. SAT-LOI-20050312-00062, SAT-LOI-20050312-00063
Written Ex Parte Presentation

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, Spectrum Five LLC ("Spectrum Five"), by its attorneys, hereby respectfully clarifies two issues discussed in the Reply of DIRECTV Enterprises LLC ("DIRECTV Reply"),¹ filed June 8, 2005, which was filed in response to the Consolidated Response of Spectrum Five ("Spectrum Five Response")² in the above captioned File Numbers.

First, the DIRECTV Reply misstates Spectrum Five's position regarding interference mitigation techniques. Specifically, DIRECTV states that the interference mitigation techniques discussed in the Spectrum Five Response would require "increasing the size of DIRECTV's subscriber antennas – *i.e.*, retrofitting millions of DIRECTV dishes nationwide."³ DIRECTV further notes that "the mitigation techniques proposed by Spectrum Five include 'minimal increases (*e.g.*, merely three centimeters) in the size of DIRECTV subscriber antennas," and that replacing DIRECTV's subscriber antennas would be an onerous process, creating a "huge inconvenience for subscribers and a monumental expense for DIRECTV."⁴

Spectrum Five does not seek to mitigate interference by increasing the size of DIRECTV's subscriber antennas. Indeed, Spectrum Five is well aware of the complications and expense inherent in such an undertaking. Instead, Spectrum Five stated that decreasing *Spectrum Five's* power level while increasing the size of *Spectrum Five's* customer dishes was among the interference mitigation techniques available to parties during coordination. The petition notes that "as *Spectrum Five*

¹ Reply of DIRECTV Enterprises, LLC, File Nos. SAT-LOI-20050312-00062/63 (June 8, 2005).

² Consolidated Response of Spectrum Five LLC, File Nos. SAT-LOI-20050312-00062/63 (June 1, 2005).

³ DIRECTV Reply at 2.

⁴ DIRECTV Reply at 7 (quoting Spectrum Five Response at 14).

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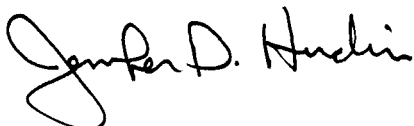
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demonstrated in its Petition...minimal increases (*e.g.*, merely three centimeters) in the size of the subscriber antenna could limit the impact of *its* system to a 10 percent increase in additional unavailability.”⁵ Accordingly, coordination is possible between Spectrum Five and existing DBS operators, without onerous or unacceptable changes to existing operators’ systems. Spectrum Five hopes that this correction will assist the Commission in understanding and ruling appropriately on Spectrum Five’s petition.

Second, DIRECTV incorrectly asserts that Spectrum Five has “failed to so much as call DIRECTV to initiate [coordination] discussions.”⁶ In fact, even before the DIRECTV Reply was filed, Spectrum Five had reached out to DIRECTV via repeated calls with senior officials, and an in-person meeting with a board member, of News Corp., DIRECTV’s parent. On June 16, 2005, Spectrum Five met with a DIRECTV representative in order to engage in a preliminary discussion of the relevant coordination issues. Spectrum Five intends to continue to reach out to DIRECTV and other affected operators, and looks forward to fruitful coordination discussions.

Sincerely,



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

⁵ Spectrum Five Response at 12-13 (emphasis added).

⁶ DIRECTV Reply at 1.