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Contel Corporation
Columbia Square
555 Thirteenth Street, N.W.
Suite 480 West
Washington, D.C. 20004-1109

Attention: Joan M. Griffin

Reference: Request for Section 319(d) Waiver for ASC-2
(File No. 35-DSS-MISC-90)

Dear Ms. -Griffin:

This is in response to your May 15, 1990 letter requesting a waiver pursuant to Section 319(d) of the Communications Act, 47 U.S.C. § 319(d), to implement a proposed design modification to the ASC-2 domestic fixed-satellite. In an accompanying application for authority to modify the license for ASC-2, you propose to change the C-band coverage pattern of the satellite so that service can be provided to Hawaii on both polarizations. You seek a Section 319(d) waiver to begin to implement this proposal and to make expenditures in this connection of up to \$350,000.

In support of your waiver request, you indicate that your spacecraft manufacturer has advised you that it must begin to implement the proposed modification immediately if ASC-2 is to be launched by the required June 1991 date. In your modification application, you further submit that the proposed modification will not result in any undue interference into the operations of adjacent satellites because C-band service to Hawaii from ASC-2 is already authorized on one polarization and the same types of services will be provided on both polarization senses. You further state that any expenditures made pursuant to a Section 319(d) waiver will be at your own risk.

Given the time frame involved and the fact that Contel ASC has been authorized to provide service to Hawaii using ASC-2, we grant your request. We expect, as your state in your waiver request, that any expenditures made before the modification application is acted upon will be at your own risk.

Accordingly, pursuant to Section 0.291 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.291, Contel ASC is granted a waiver pursuant to Section 319(d) of the Communications Act, 47 U.S.C. § 319(d), to

expend, at its own risk, up to \$350,000 for modifications to its ASC-2 satellite as described in its application to modify ASC-2's license. (File No. 34-DSS-MP/ML-90). This action is without prejudice to future Commission action on the pending modification application.

Sincerely,

James R. Keegan
Chief, Domestic Facilities Division
Common Carrier Bureau