

ORIGINAL

WILEY, REIN & FIELDING

1776 K STREET, N.W.  
WASHINGTON, D.C. 20006  
(202) 719-7000

CARL R. FRANK  
(202) 719-7269  
CFRANK@WRF.COM

FACSIMILE  
(202) 719-7049

December 17, 1999

Magalie Roman Salas, Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, SW  
12<sup>th</sup> Street Lobby, TW-A325  
Washington, DC 20054

RECEIVED  
DEC 17 1999  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: File No. SAT-MOD-19981211-00099

Dear Ms. Salas:

This letter provides notification that the Federal Communications Commission ("FCC") on three separate occasions requested additional information from Satellite CD Radio, Inc. ("CD Radio") regarding the above-referenced application.<sup>1</sup>

On Tuesday, December 7, 1999, the FCC convened a meeting attended by Tom Tycz, Ron Repasi, Rockie Patterson and Rosalee Chiara of the FCC International Bureau and Rob Briskman and Patrick Donnelly representing CD Radio. At that meeting, FCC staff asked for additional background information as to the launch authority required from the Russian Government. CD Radio responded with an explanation of the Russian launch authority requirement.

On Monday, December 13, 1999, the FCC convened a second meeting attended by Ron Repasi, Rockie Patterson and Harry Ng of the FCC International Bureau and Rob Briskman representing CD Radio along with consultants Don Jansky and Mel Barmat. At that meeting, the FCC asked whether and to what extent geostationary satellite TT&C services would experience interference from CD Radio's proposed geosynchronous satellites as they passed through the

---

<sup>1</sup> 47 C.F.R. § 1.1204(a)(10)(ii) (establishing an exemption to the ex parte prohibitions in restricted proceedings not designated for hearing for presentations requested by the Commission provided that any new written information or a summary of any new oral information is served on the other parties to the proceeding").

Magalie Roman Salas, Secretary

December 17, 1999

Page 2

geostationary arc. The FCC further asked CD Radio to augment its August 16, 1999 filing on the dimensions of any exclusion zone for CD Radio's geosynchronous satellite constellation from the geostationary arc. CD Radio responded that it would prepare a supplement to its prior analysis.

Also on Monday, December 13, 1999, Tom Tycz, Ron Repasi and Rockie Patterson of the FCC International Bureau telephoned Rob Briskman of CD Radio to inquire as to the status of CD Radio's proposed first satellite launch and to ask whether there remained a necessity for immediate grant of CD Radio's requested satellite authorization modification. CD Radio responded that the first satellite launch would take place early in the year 2000 and that the satellite must be shipped as soon as possible to enable CD Radio to take advantage of the first available launch date. CD Radio further responded that the satellite could not be shipped and accepted for Proton launch in Kazakhstan prior to FCC authorization of the proposed satellite constellation and, thus, there still exists an immediate need to grant CD Radio's requested satellite authorization modification.

Should you have any questions regarding these FCC requests for information, please contact the undersigned.

Respectfully yours,



Carl R. Frank  
Counsel for Satellite CD Radio, Inc.

cc: Tom Tycz  
Ron Repasi  
Rockie Patterson  
Rosalee Chiara  
Harry Ng  
Attached Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on this 16<sup>th</sup> day of December, 1999, I caused copies of the foregoing notification of FCC requests for information to be mailed via first-class postage prepaid mail to the following:

Lon Levin, Esq.  
Fisher Wayland Cooper Leader  
& Zaragoza L.L.P.  
2001 Pennsylvania Avenue, N.W.  
Suite 400  
Washington, D.C. 20006-1851

  
\_\_\_\_\_  
Claudia Lucas