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**ORIGINAL**

April 23, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Withdrawal of Certain Applications and a Petition of Hughes Network Systems, Inc. and Hughes Communications, Inc.

Dear Ms. Dortch:

On behalf of Hughes Network Systems, Inc. ("HNS") and Hughes Communications, Inc. ("HCI"), we are writing to withdraw certain applications and a pending petition for reconsideration of an authorization.

On March 28, 2003, HNS tendered for cancellation its second Ka band processing round authorization for Call Signs S2338, S2339, S2340, and S2341.<sup>1</sup> As a result, the following pending modification applications for those four call signs have been rendered moot, and HNS hereby withdraws those applications.

1. Application for minor modification of S2341, FCC File No. SAT-MOD-20020815-00154;
2. Application for minor modification of S2339, FCC File No. SAT-MOD-20020815-00155;
3. Application for minor modification of S2338, FCC File No. SAT-MOD-20020815-00156; and
4. Application for minor modification of S2340, FCC File No. SAT-MOD-20020815-00157.

In addition, an HNS predecessor-in-interest to its second Ka band processing round authorization, HCI, has pending a Petition for Reconsideration or Clarification of that authorization. That petition likewise has been rendered moot by HNS' cancellation of the underlying authorization. On behalf of HCI, we therefore withdraw that petition, more particularly described as follows:

Petition for Reconsideration or Clarification of Hughes Communications, Inc. regarding *Hughes Communications, Inc. Application for Authority to Construct, Launch, and Operate a Ka-Band*

<sup>1</sup> See Letter to Marlene H. Dortch, Secretary, FCC, from Michael L. Cook, Senior Vice President, Hughes Network Systems, Inc. (March 28, 2003) (Space Station Authorizations: S2338 (File No. 45-SAT-P/LA-98, IBFS No. SAT-LOA-19971222-00201), S2339 (File No. 46-SAT-P/LA-98, IBFS No. SAT-LOA-19971222-00205), S2340 (File No. 47-SAT-P/LA-98, IBFS No. SAT-LOA-19971222-00209), S2341 (File No. 48-SAT-P/LA-98, IBFS No. SAT-LOA-19971222-00207).

LATHAM & WATKINS<sup>LLP</sup>

*Satellite System in the Fixed-Satellite Service*, File Nos. 45-48-SAT-P/LA-98; IBFS Nos. SAT-LOA-19971222-00201-00207; Call Signs S2338-2341 (filed Sept. 4, 2001).

Many of the issues raised in that petition have also been raised in other pending application and rulemaking proceedings and remain relevant there. Nothing in this letter is intended to affect the position of HNS or its affiliates in those other proceedings.

If you should have any questions regarding this submission, please call us at (202) 637-2200.

Respectfully submitted,



John P. Janka  
Elizabeth R. Park

cc: Jennifer Gilsenan