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MAR 24 2008

Federal Communications Commission
Office of the Secretary

March 24, 2008

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Re: New ICO Satellite Services G.P.
Call Sign: S2651; IBFS File Nos. SAT-MOD-20070806-00110,
SAT-AMD-20071109-00155

Dear Ms. Dortch:

New ICO Satellite Services G.P. (“ICO”) submits this letter to address a late-filed ex parte submission to the Commission from Sprint Nextel Corporation (“Sprint”).¹ In its letter, Sprint requests that the Commission place a condition on ICO’s pending request to extend the remaining milestone dates for launching ICO’s geostationary orbit satellite, ICO G1, and for commencing operation of ICO’s 2 GHz mobile satellite service (“MSS”) system.²

Sprint’s comments are meritless. ICO just responded to the bulk of the claims Sprint makes here in a different proceeding in which the Commission, with ICO’s substantial support, awarded Sprint an 18 month extension to meet its broadcast auxiliary service (“BAS”) clearing obligations. ICO will not burden the Commission with repeating those points. The Commission has already granted Sprint extensive relief with respect to clearing BAS, and specifically did not modify or propose to modify the reimbursement requirements.³ It is inappropriate to address reimbursement requirements in this proceeding. Moreover, the public comment period on ICO’s milestone extension request ended months ago, so Sprint’s comments are late-filed and should not be

¹ Letter from Lawrence R. Krevor, Vice President – Spectrum, Sprint, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-AMD-20071109-00155 (Mar. 18, 2008).

² See ICO Modification Application, File No. SAT-MOD-20070806-00110 (Aug. 6, 2007), *as amended by*, File No. SAT-AMD-20071109-00155 (Nov. 9, 2007).

³ *Improving Public Safety Communications in the 800 MHz Band*, FCC 08-73, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking (Mar. 5, 2008).

March 24, 2008

considered.⁴ Finally, Sprint has no standing because it has not shown or alleged harm that would result from the Commission's grant of ICO's requested extensions. Sprint's proposed condition, concerning reimbursement requirements, would not address any potential harm that could result from extension of ICO's milestones to April 15, 2008, and May 15, 2008, respectively.

Sprint's proposed condition, concerning BAS relocation obligations, is meritless, procedurally improper and irrelevant to ICO's pending modification application. Accordingly, ICO respectfully requests that the Commission dismiss Sprint's comments.

Respectfully submitted,

A handwritten signature in black ink that reads "Suzanne Hutchings Malloy". The signature is written in a cursive, flowing style.

Suzanne Hutchings Malloy
Senior Vice President, Regulatory Affairs

⁴ See 47 C.F.R. § 25.154(a); FCC Public Notice, Policy Branch Information, Report No. SAT-00483 (Nov. 23, 2007).

CERTIFICATE OF SERVICE

I hereby certify on this 24th day of March 2008, a copy of the foregoing Letter has been served via first class mail, postage pre-paid, or electronic mail, as indicated (*), to the following:

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