

FEB 16 1990

Federal Communications Commission
Office of the Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
Request for Waiver of)
Table of Allocations)

File No. 10-DSS-MISC-90

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RESPONSE OF COMSAT

Domestic Radiocomm. Division
Satellite Radio Branch

Communications Satellite Corporation, World Systems
Division (COMSAT), hereby submits reply comments in connection
with the "Request for Waiver" filed by the American Mobile
Satellite Corporation ("AMSC") in this proceeding. AMSC asks the
Commission to waive the Table of Allocations in order to provide,
on a temporary basis, domestic mobile satellite services in the
internationally allocated Maritime Mobile Satellite Service bands,
pending deployment of AMSC's licensed system. In its original
comments, COMSAT supported in part and opposed in part the AMSC
waiver request. We now clarify our position on this matter, and
expand upon our earlier submitted views.

Section 2.102(b) of the Rules provides that, "in individual
cases the Commission may, without rule making proceedings,
authorize on a temporary basis only, the use of frequencies not in
accordance with the Table of Frequency Allocations for projects of
short duration or emergencies where the Commission finds that

important or exceptional circumstances require such utilization. Such authorizations are not intended to develop a service to be operated on frequencies other than those allocated such service." We believe that AMSC's Request satisfies these criteria. AMSC's proposed use of the maritime satellite band is temporary and is limited to the period before 1994 when AMSC's own satellites become operational. Moreover, use of COMSAT's facilities is the only current means available to AMSC for the inauguration of domestic mobile satellite services. This use will aid the development of the mobile satellite service in the frequencies allocated to such service, and will extend the benefits of a new communications capability to meet requirements now unsatisfied.

For these reasons, COMSAT supports the AMSC request as it applies to the temporary use of a MARISAT channel pursuant to our existing lease agreement.^{1/} We also support AMSC's request as it applies to any future arrangement between COMSAT and AMSC involving the interim provision of INMARSAT aeronautical satellite services. In the latter regard, COMSAT will ensure that AMSC's mobile terminals meet all of INMARSAT's technical requirements and comply with INMARSAT's commissioning procedures. Moreover, COMSAT will ensure, through an arrangement with its customer AMSC, that aviation safety is protected.

^{1/} See COMSAT's Section 214 Application in File No. I-T-C-90-039.

However, to the extent that the Request for Waiver goes beyond services that AMSC has contracted, or may in the future contract with COMSAT, it is overbroad. An overbroad waiver is in contravention of Section 2.102(b) of the Rules, is unneeded, and is unsupported by any public interest showing.

Finally, COMSAT notes that the Request for Waiver is unrelated to the recently adopted Notice of Proposed Rule Making in which the Commission will examine whether the maritime mobile satellite band should be reallocated. A proposal to use INMARSAT facilities for interim domestic services on a temporary basis does not implicate the vastly different issues raised by proposals to establish non-INMARSAT generic mobile satellite systems in the band relied on by INMARSAT to carry out its treaty functions and to render critical safety services worldwide.

Respectfully submitted,

COMMUNICATIONS SATELLITE CORPORATION
World Systems Division

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February 16, 1990

CERTIFICATE OF SERVICE

I, Dorothy Clingman, do hereby certify that a copy of the foregoing comments was served by first class mail, postage prepaid, this 16th day of February, 1990, on each of the following:

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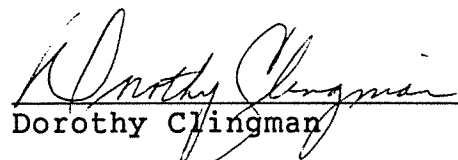
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