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FEDERAL COMMUNICATIONS COMMISSION
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May 14, 2001

BY HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, DC 20554

Received
MAY 22 2001
Satellite Policy Branch
International Bureau

Re: ***Notice of Ex Parte Communication***
Petition of Telesat Canada for Inclusion of Anik F-1
on the Permitted Space Station List
File No. SAT-PDR-20000420-00083

Dear Ms. Salas:

Attached for inclusion in the above-reference proceeding is a copy of the *ex parte* letter filed by New Skies Satellites, N.V. in response to reply comments filed by Telesat Canada in the proceeding to streamline Part 25 of the Commission's rules governing satellite space station and earth station licensing.¹ Telesat filed a copy of its reply comments in this proceeding as well.²

As discussed more fully in the attached letter, Telesat has mischaracterized New Skies' request for clarification in this proceeding and its comments in the *Biennial Review* proceeding. In both proceedings, New Skies has demonstrated that, ***under the Commission's existing rules***, a non-U.S. licensed satellite that is on the Permitted Space Station List may not communicate with a receive-only earth station in the United States unless that earth station is specifically licensed to do so.³ New Skies has asked in this proceeding that the Commission clarify this aspect of its rules for the benefit of those, such as Telesat, that apparently believe otherwise and are presumably

¹ 2000 *Biennial Regulatory Review – Streamlining and Other Revisions of Part 25 of the Commission's Rules Governing the Licensing of, and Spectrum Usage by, Satellite Network Earth Stations and Space Stations*, FCC 00-435 (rel. Dec. 14, 2000) ("*Biennial Review*").

² See Letter from Bert W. Rein to Magalie Roman Salas, dated May 8, 2001 (attaching reply comments).

³ See Reply to Opposition to Request for Clarification or, in the Alternative, for Reconsideration (filed Feb. 7, 2001); Letter from William M. Wiltshire to Magalie Roman Salas, dated March 27, 2001 (attaching *Biennial Review* comments).

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acting upon that belief. New Skies has also requested in the *Biennial Review* proceeding that the Commission clarify this aspect of its rules and further adopt new rules that could ameliorate the impact of the licensing requirement.

Contrary to Telesat's assertion, therefore, New Skies has *not* asked the Commission to change its rules in order to adopt a licensing requirement for non-routine receive-only earth stations seeking to communicate with non-U.S. licensed satellites on the Permitted List – because that requirement already exists.

If you have any questions about this submission, please direct them to me.

Respectfully submitted,

A handwritten signature in blue ink that reads "William M. Wiltshire". The signature is written in a cursive style with a large initial "W".

William M. Wiltshire
Counsel for New Skies Satellites N.V.

Enclosure

cc: Bert W. Rein