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May 31, 1996

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JUN 13 1996

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120-SAT-STA-96

VIA R&S COURIERS

Federal Communications Commission
International Bureau - Satellites
PO Box 358210
Pittsburgh, PA 15251-5210

**RE: Application Of Columbia Communications Corporation
For Special Temporary Authority To Operate Capacity
On The TDRS-6 Satellite At 47° W.L.**

To Whom It May Concern:

Enclosed on behalf of Columbia Communications Corporation ("Columbia") are the original and nine copies of its Request for Special Temporary Authority ("STA") to operate capacity on the NASA TDRS-6 spacecraft at 47° W.L. Grant of an STA will allow Columbia to immediately use this currently idle capacity to meet the domestic and trans-Atlantic communications needs of satellite users requiring C-band space segment.

Included with this filing are a completed FCC remittance advice "Form 159" and a check payable to the Federal Communications Commission in the amount of \$575 in payment of the required filing fee. A copy of this application marked "Return Copy" is also included. Please date stamp this copy and return it to the courier delivering this package.

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Satellite and
Radiocommunications Division
International Bureau

LEVENTHAL, SENTER & LERMAN

Federal Communications Commission

May 31, 1996

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Should there be any questions concerning this matter, please contact the undersigned counsel.

Respectfully submitted,



David S. Keir

DSK/vlp

Enclosures

cc: Mr. James L. Ball
Mr. Thomas S. Tycz
Mr. Alex C. Latker
Ms. Julie A. Garcia

FCC REMITTANCE ADVICE

PAGE NO. 1 OF 1

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JUN 4 1996

Satellite and
Radio Communications Division
International Bureau

SPECIAL USE

FCC USE ONLY

(Read instructions carefully BEFORE proceeding.)

PAYOR INFORMATION

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| 1) FCC ACCOUNT NUMBER | | Did you have a number prior to this? Enter it. | 2) TOTAL AMOUNT PAID (dollars and cents) | | | | | | | | | | | | | | | | | | |
| 0 | 9 | 9 | 0 | 2 | 3 | 7 | 6 | 6 | 9 | | | | | | | | | | | \$ | 575 |
| 3) PAYOR NAME (If paying by credit card, enter name exactly as it appears on your card) | | | | | | | | | | | | | | | | | | | | | |
| Columbia Communications Corporation | | | | | | | | | | | | | | | | | | | | | |
| 4) STREET ADDRESS LINE NO. 1 | | | | | | | | | | | | | | | | | | | | | |
| c/o Leventhal, Senter & Lerman | | | | | | | | | | | | | | | | | | | | | |
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| 3) CITY | | | | | | | | | | (7) STATE | | | | | (8) ZIP CODE | | | | | | |
| Washington, | | | | | | | | | | DC | | | | | 20006 | | | | | | |
| 9) DAYTIME TELEPHONE NUMBER (Include area code) | | | | | | | | | | (10) COUNTRY CODE (if not U.S.A.) | | | | | | | | | | | |
| 202-429-8970 | | | | | | | | | | | | | | | | | | | | | |

ITEM #1 INFORMATION

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| 11A) NAME OF APPLICANT, LICENSEE, REGULATEE, OR DEBTOR | | | | | | | | | | | | FCC USE ONLY | | | |
| Columbia Communications Corporation | | | | | | | | | | | | | | | |
| 12A) FCC CALL SIGN/OTHER ID | | | | 13A) ZIP CODE | | | | 14A) PAYMENT TYPE CODE | | | | 15A) QUANTITY | | 16A) FEE DUE FOR PAYMENT TYPE CODE IN BLOCK 14 | |
| | | | | | | | | C R Y | | | | | | \$ 575 | |
| 17A) FCC CODE 1 | | | | | | | | 18A) FCC CODE 2 | | | | | | | |
| 19A) ADDRESS LINE NO. 1 | | | | 20A) ADDRESS LINE NO. 2 | | | | 21A) CITY/STATE OR COUNTRY CODE | | | | | | | |
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ITEM #2 INFORMATION

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| 11B) NAME OF APPLICANT, LICENSEE, REGULATEE, OR DEBTOR | | | | | | | | | | | | FCC USE ONLY | | | |
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| 12B) FCC CALL SIGN/OTHER ID | | | | 13B) ZIP CODE | | | | 14B) PAYMENT TYPE CODE | | | | 15B) QUANTITY | | 16B) FEE DUE FOR PAYMENT TYPE CODE IN BLOCK 14 | |
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| 19B) ADDRESS LINE NO. 1 | | | | 20B) ADDRESS LINE NO. 2 | | | | 21B) CITY/STATE OR COUNTRY CODE | | | | | | | |
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CREDIT CARD PAYMENT INFORMATION

22) MASTERCARD/VISA ACCOUNT NUMBER:

Mastercard Visa

EXPIRATION DATE: /

Month Year

23) I hereby authorize the FCC to charge my VISA or Mastercard for the service(s)/authorization(s) herein describe.

AUTHORIZED SIGNATURE _____ DATE _____

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

| | | |
|--|---|----------------|
| In re: Application of |) | |
| |) | |
| COLUMBIA COMMUNICATIONS CORP. |) | File No. _____ |
| |) | |
| For Special Temporary Authority to |) | |
| Operate a C-Band Satellite Capacity on the |) | |
| National Aeronautics and Space |) | |
| Administration Tracking and Data Relay |) | |
| Satellite (TDRS-6) at 47° West Longitude |) | |

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

Columbia Communications Corporation ("Columbia"), by counsel and pursuant to Section 308 of the Communications Act of 1934, as amended (47 U.S.C. § 308), and Sections 25.114(c) and 25.119 and of the Commission's Rules (47 C.F.R. §§ 25.114(c) and 25.119), hereby requests that the Commission grant it special temporary authority ("STA"), on an expedited basis, to utilize in-orbit C-band capacity on the National Aeronautics and Space Administration ("NASA") Tracking and Data Relay Satellite System ("TDRSS") spacecraft located at 47° W.L. ("TDRS-6") to provide commercial satellite service. In support of this application, Columbia submits the following information:

I. INTRODUCTION

On October 3, 1995, Columbia filed an application seeking authority to construct, launch and operate a new C-Band satellite at 47° W.L. -- COLUMBIA-

ATL-47W. See FCC File No. 3-SAT-P/LA-96. Since that time, Columbia has reached an agreement with NASA permitting Columbia to sell or lease the C-band capacity on board TDRS-6, which is already in orbit at 47° W.L. The availability of this capacity presents Columbia with an extraordinary opportunity to provide immediate interim service at the proposed location of its follow-on satellite, thereby relieving the present shortage of U.S. domestic and transAtlantic C-band capacity and also allowing Columbia to provide expanded service options to existing and new customers well before it would be able to construct and launch a new satellite. In the brief period of time since it reached final agreement with NASA, Columbia has received numerous expressions of interest from potential users of the TDRS-6 space segment that require access to additional C-band capacity commencing within the next 15 to 60 days. Grant of special temporary authority to allow immediate use of this capacity will therefore serve the public interest. See Section IV, below.

II. APPLICANT

Columbia Communications Corporation
1088 Bishop Street
Suite 2912
Honolulu, Hawaii 96813
(808) 523-8100

III. CORRESPONDENCE

Correspondence with respect to this application should be sent to the following person at the above address and telephone number:

Clifford Laughton
Chairman and Chief Executive Officer

with a copy to:

Kenneth Gross
General Counsel and Chief Operating Officer
Columbia Communications Corporation
7200 Wisconsin Ave.
Suite 701
Bethesda, Maryland 20814
(301) 907-8800

and to:

Raul R. Rodriguez
David S. Keir
Leventhal, Senter & Lerman
2000 K Street, N.W.
Suite 600
Washington, D.C. 20006
(202) 429-8970

**IV. GRANT OF TEMPORARY AUTHORITY WILL
SERVE THE PUBLIC INTEREST**

Columbia currently offers video, voice and data communications capability using leased satellite capacity through a prior arrangement with NASA on two TDRSS satellites, including the TDRS-4 satellite at 41° W.L. serving the Atlantic

Ocean Region and the eastern portion of the continental United States. Commercial capacity on each satellite is limited to twelve C-band transponders.

At the present time, there is growing demand for satellite services in the United States and in the Atlantic Ocean Region, and a shortage of C-band capacity to meet the long-term needs of these satellite users. Columbia is presently the smallest capacity provider in the region, with access to only the twelve C-band transponders on TDRS-4, which is expected to reach the end of its useful life shortly after the turn of the decade. Accordingly, Columbia requires additional capacity to expand its service in the near term, and to maintain its service to existing customers in the future.

While Columbia has sought authority to construct a new satellite at 47° W.L., it will be a period of several years before new capacity on this new satellite can be brought to market. Interim operation using the TDRS-6 capacity will permit Columbia to provide new service almost immediately, and well in advance of the availability of its proposed new capacity at this location. Grant of an STA to Columbia to allow it to implement new service on TDRS-6 will thus provide additional competition in the Atlantic Region and provide Columbia additional sources of revenue to assist in its ultimate expansion in this region. Enhanced competition and additional space segment options for satellite users are unquestionably in the public interest and militate strongly in favor of the grant of an immediate STA for Columbia, allowing it to commence service at the earliest possible date. As noted above, Columbia has already

received numerous expressions of interest in the TDRS-6 capacity, including customers requiring near-term service during the upcoming Olympic Games.

Columbia's legal qualifications to be a satellite licensee are contained in its application to construct, launch and operate COLUMBIA-ATL-47W. See Columbia Application, FCC File No. 3-SAT-P/LA-96 (filed October 3, 1995). The technical parameters for the TDRS-6 satellite are identical to those for the successfully-coordinated TDRS-4 spacecraft, which are a matter of record before the Commission. See Application of Columbia Communications Corporation for Authority to Use and Offer for Lease the C-band Transponders on the NASA TDRSS Satellites at 41° W.L. and 174.3° W.L. for the Provision of International Fixed-Satellite Services, File Nos. CSS-90-010 and CSS-90-011, Section VIII (filed August 6, 1990).

Columbia's operation of C-band capacity at 47° W.L. is fully compatible with the current authorization of Orion Network Systems, Inc. for a Ku-band satellite at 47° W.L. In addition, Columbia is confident that it will be able to achieve successful coordination with the existing C-band operations of PanAmSat at 45° W.L. and INTELSAT at 50° W.L. Indeed, Columbia has already taken steps to initiate coordination with both of these parties. An interference analysis concerning this orbital location is contained in Columbia's application for COLUMBIA-ATL-47W at Attachment 1, Technical Annex at Section 20.

V. COLUMBIA RESPECTFULLY REQUESTS THAT, CONSISTENT WITH PRECEDENT, THE COMMISSION WAIVE ITS FULL FREQUENCY REUSE REQUIREMENT AND THE FREEZE ON APPLICATIONS TO USE ORBITAL LOCATIONS BETWEEN 30° W.L. AND 60° W.L.

To make use of the TDRS-6 capacity, Columbia will require a waiver of the FCC's full frequency reuse requirement. See Licensing of Space Stations in the Domestic-Fixed Satellite Service, 54 R.R.2d 577, 598 & n.67 (1983); Establishment of Satellite Systems Providing International Communications, 101 F.C.C.2d 1046, 1168-72 (1985). The Commission stated in granting Columbia authorization to utilize the C-band capacity on TDRS-4 that it would grant such waivers "as long as the non-compliant satellite is making some use of the orbit/spectrum resource which otherwise would not be used, and as long as such use does not preclude the use of the resource by a satellite which meets the Commission's full-frequency reuse requirements." See Columbia Communications Corp., 7 FCC Rcd 122, 123 (1991). Both of these requirements are met here. Grant of an STA will allow Columbia to offer for immediate use C-band capacity that will otherwise go unused, and will not preclude any future operation that would provide full frequency reuse. See also Systematics General Corp., 2 FCC Rcd 7550-7551 (Com. Car. Bur. 1987) (granting STA for use of TDRS-1 and TDRS-3 to provide domestic service). Moreover, as the Commission noted in granting the TDRS-4 authorization, because the satellite at issue is already in orbit, "it would be impossible for Columbia to redesign the communications system . . . in order to meet the full frequency reuse requirements." Columbia, 7 FCC Rcd at 123. Significantly, Columbia has already filed an application for this orbital location that is

fully compliant with the FCC's requirements for frequency reuse. See Columbia Application, FCC File No. 3-SAT-P/LA-96, Technical Annex at 2. Accordingly, grant of the requested waiver is in the public interest.

To the extent that it is necessary, Columbia also requests that the Commission waive the 1985 freeze on Atlantic Ocean Region satellite applications between 30° W.L. and 60° W.L. Columbia requested such a waiver in connection with its underlying application for 47° W.L. because the new service to be provided would promote the public interest in maintaining the availability of sufficient Atlantic Ocean Region space segment capacity. See Columbia Application, FCC File No. 3-SAT-P/LA-96, at 7-8. In fact, Columbia's current authorization to use the TDRSS satellite at 41° W.L. was accepted and processed to grant pursuant to a waiver of the freeze granted for precisely these reasons. See Columbia, 7 FCC Rcd at 123. The use proposed by this STA request is identical to the use approved then in that it will permit utilization of idle, in-orbit capacity, increase competitive options for satellite users, and infuse significant funds into the U.S. Treasury through the contractual arrangement with NASA. Accordingly, grant of a waiver is in the public interest and consistent with prior Commission decisions.

VI. REQUIRED CERTIFICATIONS

Pursuant to Section 304 of the Communications Act (47 U.S.C. § 304), Columbia waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.

The undersigned certifies individually and for Columbia that the statements made in this application are true, and correct to the best of his knowledge and belief, and are made in good faith.


The undersigned also certifies that neither Columbia nor any party to this application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

Respectfully submitted,

COLUMBIA COMMUNICATIONS CORP.

May 30, 1996

By: _____


Kenneth Gross
Chief Operating Officer