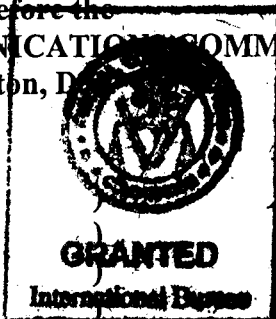


Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.



ST-STA-20040107-00002  
Call Sign \_\_\_\_\_ Date Rec'd 3/12/04  
(or other identifier) \_\_\_\_\_  
Transmit Date \_\_\_\_\_  
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Approved: *[Signature]*

In the Matter of

DIRECTV Enterprises, LLC

Request for Special Temporary Authority to )  
Relocate DIRECTV 5 to 72.5°W and to Conduct )  
Telemetry, Tracking and Command ("TT&C") )  
Operations for an Interim Period )

File No. STA-STA-20040107-00002

Grant proceeding  
"permit but disclose" AK

**MOTION TO DESIGNATE PROCEEDING AS "PERMIT-BUT-DISCLOSE"**

Pegasus Development Corporation ("Pegasus") hereby requests that the Commission designate the *ex parte* status of the above-captioned application of DIRECTV Enterprises, LLC ("DIRECTV") as "permit-but-disclose." Pursuant to the Commission's rules, "[w]here the public interest so requires in a particular proceeding, the Commission and its staff retain the discretion to modify the applicable *ex parte* rules by order, letter, or public notice." 47 C.F.R. § 1.1200(a).

DIRECTV proposes to move DIRECTV 5 from 119°W to 72.5°W, which is an orbital location assigned to Canada, and subsequently to provide Direct Broadcast Satellite ("DBS") service to the United States from that location.<sup>1</sup> The Commission previously has designated applications proposing to provide DBS services to the United States from Canada as "permit-but-disclose" because of the "intricate legal and technical issues" associated with such proposals.<sup>2</sup>

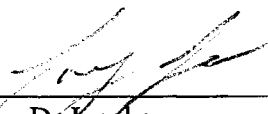
<sup>1</sup> See also SES-LFS-20040112-00023 (January 12, 2004).

<sup>2</sup> Report No. SAT-00100 (January 25, 2002); see also Report No. SES-00569 (January 24, 2004).

Moreover, the application is relevant to the proceeding for authority to transfer control of FCC authorizations from General Motors Corporation, Hughes Electronics Corporation to The News Corporation Limited. *See* In the Matter of General Motors et al., FCC 03-330 (January 14, 2004). That proceeding has also been designated “permit-but-disclose.” *See* Public Notice, DA 03-1725 (May 16, 2003).

Based on the foregoing, Pegasus respectfully requests that the Commission designate the *ex parte* status of the above-captioned application as “permit-but-disclose.”

Respectfully submitted,



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*Counsel for Pegasus Development Corporation*

February 26, 2004

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO DESIGNATE PROCEEDING AS "PERMIT-BUT-DISCLOSE" was sent via U.S. mail, first-class or by hand-delivery (\*), on this 26<sup>th</sup> day of February, to the following:

Hon. Michael K. Powell, Chairman\*  
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Washington, DC 20554

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Hon. Jonathan Adelstein, Commissioner\*  
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Hon. Michael Copps, Commissioner\*  
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