

Federal Communications Commission
Washington, D.C. 20554

December 9, 1996

Mr. David S. Keir
Leventhal, Senter & Lerman
2000 K Street, N.W., Suite 600
Washington, D.C. 20006-1809

Reference: Request for Section 319(d) waiver, Columbia Communications Corp.
COLUMBIA-PAC-172E communications satellite at 172° E.L. - Application
File No. 44-SAT-P/LA-96 (319(d) Waiver File No. 146-SAT-WAIV-96)

Dear Mr. Keir:

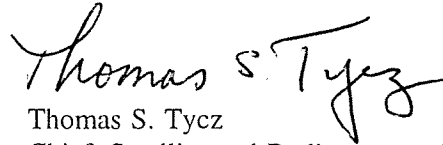
This is in response to your request for waiver of Section 319(d) of the Communications Act, 47 U.S.C. § 319(d), to permit Columbia Communications Corporation to commence construction of a new fixed-service communications satellite pending action on its application to construct, launch and operate its proposed COLUMBIA-PAC-172E satellite.

Columbia filed an application to construct, launch and operate the COLUMBIA-PAC-172E satellite on December 27, 1995 (*see* File No. 44-SAT-P/LA-96). Columbia proposes to operate the satellite at 172° E.L. in conventional and extended C-band frequencies (5925-6425 MHz and 6425-6725 MHz uplink bands and 3700-4200 MHz and 3400-3700 MHz downlink bands) and Ku-band frequencies (14.0-14.5 GHz uplink bands and 11.7-12.2 GHz and 10.95-11.2 GHz, 11.45-11.7 GHz, and 12.25-12.75 GHz downlink bands). Columbia asserts that the public interest will be served in granting this waiver by ensuring that its services are available to the user public at the earliest possible time and will foster the efficient use of the spectrum. Columbia recognizes that grant of this waiver would be without prejudice to final Commission action on its underlying applications and that any expenditures will be made at its own risk. No oppositions or comments were filed.

We grant Columbia's request. In so doing, we note that the band 3400-3600 MHz is not allocated to the fixed-satellite service in the U.S. Table of Frequency Allocations. Consequently, protection of earth stations from potentially unacceptable interference from U.S. Government Radiolocation operations could be difficult and may preclude fixed satellite service operations. We emphasize that expenditures made pursuant to this waiver prior to Commission action on the underlying application are **at Columbia's own risk**, and that grant of this waiver **in no way prejudices** any action the Commission might take on Columbia's application for authority to construct, launch and operate its COLUMBIA-PAC-172E satellite.

Accordingly, pursuant to Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, Columbia Communications Corporation is granted a waiver pursuant to Section 319(d) of the Communications Act, 47 U.S.C. § 319(d), to commence construction of its proposed COLUMBIA-PAC-172E satellite, **at its own risk.**

Sincerely yours,

A handwritten signature in black ink that reads "Thomas S. Tycz". The signature is written in a cursive style with a large, stylized "T" and "y".

Thomas S. Tycz
Chief, Satellite and Radiocommunication Division
International Bureau