



Sprint Nextel
2001 Edmund Halley Drive
Reston, VA 20191
Office: (703) 433-8525 Fax: (703) 433-4142
Mobile: (703) 926-5933

June 19, 2008

Notice of *Ex Parte* Presentation

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Application of TerreStar Networks Inc. for Blanket Authority for Ancillary Terrestrial Component Base Stations and Mobile Terminals for 2 GHz Mobile Satellite Service, File Nos. SES-LIC-20061206-02100, SES-AMD-20070723-00978, SES-AMD-20070907-01253, and SES-AMD-20080229-00217

Application of New ICO Satellite Services G.P. for Blanket Authority for Ancillary Terrestrial Component Base Stations and Mobile Terminals for 2 GHz Mobile Satellite Service, File Nos. SES-LIC-20071203-01646, SES-AMD-20080118-00075, and SES-AMD-20080219-00172

Dear Ms. Dortch:

On behalf of Sprint Nextel Corporation, Richard Engelman and Trey Hanbury met yesterday with Frank Peace, Scott Kotler, William Bell, and Sankar Persaud of the International Bureau. Consistent with its written submissions, Sprint Nextel explained that the Commission should deny the ATC applications of TerreStar Networks Inc. (TerreStar) and New ICO Satellite Services G.P. (ICO) because these MSS licensees cannot provide nationwide commercial MSS unless the nation's BAS licensees are relocated. Both Sprint Nextel and 2 GHz MSS licensees have independent obligations to relocate the 2 GHz BAS incumbents. In the absence of any MSS effort to clear their own spectrum, Sprint Nextel has incurred hundreds of millions of dollars to fund the BAS relocation.

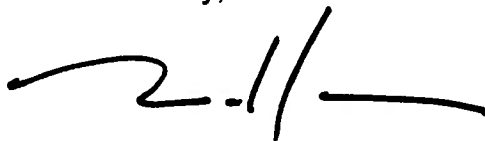
TerreStar and ICO cannot obtain ATC authority unless they demonstrate that they will offer commercial MSS, and these licensees cannot offer MSS until they show that they will either relocate BAS themselves or pay their fair share of the relocation costs. TerreStar and ICO do not dispute that the Commission's gating criteria require, among other things, that 2 GHz MSS ATC applicants demonstrate their systems will be capable of providing service to all 50 states, Puerto Rico, and the U.S. Virgin Islands. *Improving Public Safety Communications in the 800 MHz Band; Consolidating the 800 and 900 MHz Industrial/Land Transportation and Business Pool Channels*, WT Docket No. 02-55, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking, FCC 08-73, 2008 FCC LEXIS 1896, ¶ 51 (rel. March 5, 2008) (*BAS*

Extension Order); 47 C.F.R. § 25.149(b). TerreStar and ICO also do not dispute that they have done nothing to clear BAS licensees from the spectrum that they must use to provide nationwide MSS. Unless TerreStar and ICO relocate BAS or certify that they will reimburse Sprint Nextel for their fair share of the cost of doing so, the MSS licensees have failed to satisfy the minimum criteria necessary to receive ATC authority and their ATC applications must be denied.

No good cause exists to waive the requirement that MSS licensees must offer nationwide MSS before receiving ATC authority. Sprint Nextel's efforts will greatly benefit TerreStar and ICO by clearing BAS systems from the spectrum block that the FCC has assigned to these MSS licensees. Under longstanding FCC policies, Sprint Nextel is entitled to be reimbursed by TerreStar and ICO for the *pro rata* share of the costs of clearing eligible BAS systems. Recognizing that MSS licensees will benefit greatly from Sprint Nextel's efforts, the FCC has stated that its "traditional cost-sharing principles are applicable to the 1990-2025 MHz band." *BAS Extension Order* ¶ 15. Under these principles, Sprint Nextel, "as the first entrant, is entitled to seek *pro rata* reimbursement of eligible clearing costs from subsequent entrants, including MSS licensees." *Improving Public Safety Communications in the 800 MHz Band*, Memorandum Opinion and Order, 20 FCC Rcd. 16015, ¶ 111 (2005).

The Commission has designated the above-referenced proceedings as "permit-but-disclose" for purposes of the Commission's rules governing *ex parte* communications. See Public Notice, Report No. SES-01037, at 78 (May 28, 2008); Order, Policy Branch, File No. SES-LIC-20071203-01646 (May 22, 2008). Please associate this submission with the comments that Sprint Nextel filed in these proceedings.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trey Hanbury', with a stylized flourish at the end.

Trey Hanbury, Esq.
Director, Sprint Nextel Corporation

cc (by email): Frank Peace
Scott Kotler
William Bell
Sankar Persaud

Certificate of Service

I, Claudia Del Casino, hereby certify that on this 19th day of June, 2008, I caused true and correct copies of the foregoing letter to be mailed by first class U.S. mail, postage prepaid, to:

Cheryl A. Tritt Morrison & Foerster 2000 Pennsylvania Ave. NW, Suite 500 Washington, DC 20006	Joseph A. Godles Goldberg, Godles, Wiener & Wright 1229 19th Street NW Washington, DC 20036
Suzanne Hutchings Malloy Peter Corea New ICO Satellite Services G.P. 815 Connecticut Avenue NW, Suite 610 Washington, DC 20006	Douglas I. Brandon Vice President for Regulatory Affairs TerreStar Networks Inc. 12010 Sunset Hills Road, 9th Floor Reston, VA 20191

Claudia Del Casino
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