



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 11, 2002

The Honorable Curt Weldon
U.S. House of Representatives
2466 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Weldon:

Thank you for your recent letter concerning the request by Digital Broadband Applications Corp. ("DBAC") to utilize an advanced hybrid satellite network to provide high-speed two-way digital data and video services to consumers in the United States. Specifically, DBAC seeks to operate earth stations with Canadian-licensed Direct Broadcast Satellite and U.S.-licensed Fixed-Satellite Service satellites (as well as using terrestrial Local Multipoint Distribution Service spectrum, where available) to deliver its proposed service.

DBAC's application seeking authority to operate its proposed service was placed on public notice and a comment cycle was established that closed on March 14, 2002. At least one petition to deny DBAC's application has been filed. We have placed a copy of your letter in the public record for consideration as part of this proceeding.

I respect the serious nature of the issues raised in your letter and appreciate the opportunity to assure you of my commitment to facilitate sustainable, nationwide competition in the multichannel video programming and broadband service marketplace for the benefit of U.S. consumers. The Commission staff is conducting a thorough review of the application, taking into account the record in this proceeding and the issues involved. I assure you that the Commission will consider carefully the points that you raise in your letter, and will complete action on the DBAC application as expeditiously as possible.

Thank you for your interest and participation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Powell", written over a horizontal line.

Michael K. Powell
Chairman

CURT WELDON

7TH DISTRICT, PENNSYLVANIA

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Congress of the United States

House of Representatives

Washington, DC 20515-3807

April 11, 2002

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The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, NW
Washington, D.C. 20554

Dear Chairman Powell:

I am writing in support of Digital Broadband Applications Corp.'s ("DBAC") January 8, 2002 application to offer integrated two-way broadband video data service throughout the United States. Given the numerous public interest benefits of DBAC's proposed service offering, I urge the Federal Communications Commission to give close consideration to this application.

DBAC's innovative use of satellite and terrestrial LMDS frequencies will enable all U.S. consumers to enjoy next-generation video services, including video on demand, and high-speed two-way Internet access and content services. At the same time, DBAC will help to breathe life into the U.S. technology industry by creating a demand for new technologies, such as the interactive set-top box and LMDS technologies it is helping to develop. I am also encouraged by DBAC's commitment to providing an alternative platform for independent video programmers, including Hispanic programmers.

Moreover, DBAC's offering will provide much-needed competition in the satellite-delivered video and data services markets. If you have any questions, feel free to contact me.

Sincerely,

CURT WELDON
Member of Congress

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