



Sylvia Lam

UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and
Information Administration
Washington, D.C. 20230

August 4, 2004

Thomas Tycz
Chief, Satellite Division
International Bureau
Federal Communications Commission
Washington, DC 20544

RE: NTIA Letter to FCC Dated March 19, 2004
SkyWave Mobile Communications, Corp.
Radio Station Authorization
File No. SES-LIC-20030311-00353
Call Sign E030055

Dear Mr. Tycz:

This is a supplement to the letter I wrote to you concerning SkyWave on March 19, 2004. After further consideration I would like to supplement our comments on one of the issues addressed, whether SkyWave should be authorized pursuant to a waiver to the guidelines in the Lower L-band Report and Order (IB Docket No. 96-132). In my March 19, letter I suggested that in granting the authorization, a waiver of the footnotes US315 and S5.353A to Section 2.106 of the FCC's Rules should not be necessary given the modifications to the mobile earth terminals proposed by Skywave in its application and in discussions with NTIA. We continue to believe that these changes are an approach to operating METs in the shared band that would protect safety and distress communications in the GMDSS. On this basis, we continue to have no objections to a grant for a 15-year license term. However, after further consideration, we believe that granting the SkyWave application pursuant to a waiver would be the most appropriate way to proceed and would be consistent with the guidelines set forth in the lower L-band Report and Order. As technological advances are made in MET technology, the FCC and NTIA may wish to reevaluate the priority and preemption requirements in light of the technological evolution of these terminals.

Sincerely

James Vorhies
James Vorhies
Chief, International Spectrum Plans
and Policy Division

CC Sylvia Lam
Cassandra Thomas