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June 7, 1995

Mr. William F. Caton
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, DC 20554

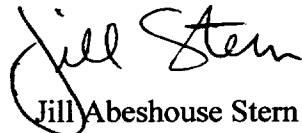
Re: Final Analysis, Inc. Experimental Applications
(File Nos. 4682-EX-PL-95, 4680-EX-PL-95, and 4683-EX-PL-95)

Dear Mr. Caton:

On behalf of CTA Commercial Systems, Inc., I am transmitting herewith an original and four copies of its Opposition to Amendment with respect to the above- referenced matter.

Should there be any questions concerning this matter, kindly communicate with the undersigned.

Sincerely,


Jill Abeshouse Stern

Attachments

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Before the
FEDERAL COMMUNICATIONS COMMISSION FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554 OFFICE OF SECRETARY

In the Matter of	)	
	)	
FINAL ANALYSIS, INC.	)	File Nos. 4682-EX-PL-95
	)	4680-EX-PL-95
Applications For Authority to Establish a	)	4683-EX-PL-95
Low-Earth Orbit Satellite, to Modify a	)	
Fixed Ground Station, and to Establish	)	
9,240 Remote Terminals in the Experi-	)	
mental Radio Service	)	

**OPPOSITION TO AMENDMENT OF
EXPERIMENTAL APPLICATIONS**

CTA Commercial Systems, Inc. ("CTA"), by its attorneys, hereby opposes the May 25, 1995 amendment of Final Analysis, Inc. ("FAI") to its above-captioned applications for licensing of a new experimental satellite, modification of a master ground station at Logan, Utah, and authorization of new remote mobile terminals at various locations throughout the United States.

Following the opposition of CTA and other parties to grant of its experimental applications, FAI has amended those applications to change the proposed operating frequencies and to reduce the number of mobile terminals from 9,240 to 1,848. These changes do not assuage the concerns expressed in CTA's April 27, 1995 Opposition. In its Opposition, CTA made clear that FAI'S experimental license applications have no relation to the joint efforts underway by the Little LEO applicants to identify suitable frequencies for allocation at WRC-95. To the contrary,

FAI has proceeded independently, without consulting the other applicants, to use the joint technical work of the Little LEO parties for its own commercial benefit. Although FAI purports to address CTA's concerns in its May 25, 1995 amendment, it fails to do so. Indeed, the amendment further confirms FAI's true intentions of introducing a commercial business under the guise of an experimental license.

1. Number of Terminals.

In its initial applications, FAI requested 9,240 mobile terminals. CTA pointed out, in its April 27 opposition, that this excessive number of terminals cannot be justified on the basis of the proposed experimental program. In fact, if FAI's true objective were to assess the level of usage in various bands, only a receiver, not a transmitter, would be required. At most, only a few hundred terminals can be justified to confirm the ability to operate in selected bands. Although FAI has now reduced the number of requested terminals, from 9,240 to 1,848, there is still no justification for this large number of terminals. FAI's attempt to correlate the number of terminals to the population in each region to be tested is unavailing. There is no correlation whatsoever between the population of various regions and the number of terminals needed for spectrum analysis.

2. Frequencies.

In its amendment, FAI has also revised the proposed frequencies for which experimental licensing is sought. FAI claims to have changed the frequencies to conform to the spectrum proposals developed by the Little LEO applicants in the Joint Supplemental Reply Comments filed with the Commission on May 18, 1995 in IC Docket No. 94-31. Although FAI has identified

several of the bands identified in the Joint Supplemental Reply Comments, it must again be emphasized that this should not be construed as support by the other applicants for FAI's applications.

It bears emphasis that the proposed frequencies in the May 18 filing were initial proposals that have not yet been endorsed by the Commission. The Commission is not expected to adopt an Order in IC Docket No. 94-31 until later in June. In the meantime, several of the frequencies identified by FAI have been rejected by NTIA, in discussions with the applicants, as unsuitable for sharing and discussions with respect to the use of government spectrum are still ongoing. This underscores the premature nature of FAI's proposal.

Nor has FAI addressed the legitimate concerns expressed by other applicants that FAI's proposed launch schedule is too late to be useful in the WRC-95 effort. As noted, spectrum proposals are being finalized this month and will be the subject of multi-lateral and bi-lateral discussions over the summer. FAI's satellite will be launched and operational after this process has taken place, too late to provide useful information.

For these reasons, the Commission should defer processing of FAI's application, at a minimum, until it becomes clear which bands are supported by the United States and ultimately allocated at WRC-95. At that point, it will be possible to assess the specific frequencies available for the Little LEOs.

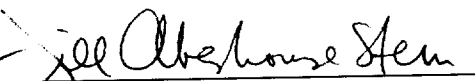
In short, FAI's May 25, 1995 amendment fails to cure the deficiencies in its experimental applications previously noted by CTA and other Little LEO applicants. Given the deficiencies in

FAI's applications, which the amendment fails to address, the Commission must deny those applications or, at a minimum, defer action on the applications pending the outcome of WRC-95 and clarification of the Little LEO spectrum issues.

Respectfully submitted,

CTA COMMERCIAL SYSTEMS, INC.

By:



Jill Abeshouse Stern

Shaw, Pittman, Potts & Trowbridge

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Its Attorneys

June 7, 1995

CERTIFICATE OF SERVICE

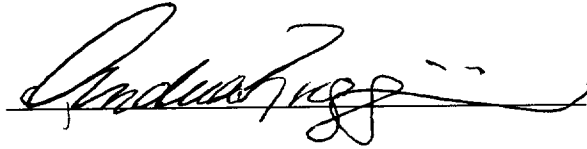
I, André Angier, do hereby certify that a true and correct copy of the foregoing document was served by hand or by first-class mail, postage prepaid on this 7 day of June, 1995, on the following persons:

- * Scott Blake Harris
Chief, International Bureau
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2000 M Street, N.W., Room 830
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- * Kristi Kendall, Esq.
Satellite Policy Branch
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A handwritten signature in black ink, appearing to read "Raul R. Rodriguez", with a long horizontal flourish extending to the right.

*Served by hand

178552-01 / DOCSDC1

JUN - 7 '1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

For Authority to Establish a Low-Earth Orbit Satellite, to Modify a Fixed Ground Station, and to Establish 9,240 Remote Mobile Terminals in the Experimental Radio Services

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File Nos. 4682-EX-PL-95
4680-EX-PL-95
4683-EX-PL-95

4683-EX-PL-95

COMMENTS

On April 17, 1995 Leo One USA Corporation ("Leo One USA") filed with the Commission a Petition to Deny the above-captioned application submitted by Final Analysis, Inc. ("FAI"). In this Petition, Leo One USA questioned the purpose of the proposed FAI experimental program. Specifically, Leo One USA demonstrated that it was not necessary to launch a satellite or operate 9,240 transceivers to obtain information on terrestrial interference into the Non-Voice, Non Geostationary Mobile Satellite Service ("NVNG MSS") downlink transmissions. Additionally, even if this information were valuable, given the timeframe to construct, launch and analyze the data, it is totally unrealistic to believe that it could aide in the discussions at the upcoming World Radiocommunications Conference ("WRC") to be held in Geneva beginning on October 22, 1995. Finally, Leo One USA observed that the frequencies proposed to be analyzed by FAI differed from those considered by the Industry Advisory

Committee ("IAC"). Given these relevant facts, Leo One USA fairly presumed that the FAI proposal while cloaked in experimental clothing actually had a commercial purpose.

In response to the filings of Leo One USA, CTA Commercial Systems, Inc. ("CTA") and STARYSYS Global Positioning, Inc. ("STARSYS"), FAI on May 25, 1995 amended its experimental application to eliminate some of its more egregious components. Specifically, FAI has lowered the number of transceivers requested from 9,240 to 1,848 and changed the frequencies to be analyzed from 153-162 MHz to the 450-460 MHz band. It also added a 30 kHz channel in the 137 MHz band. Even with these changes, Leo One USA continues to oppose the FAI experimental application.

Leo One USA fully supports the use of experimental satellite programs to determine the impact of terrestrial interference into the uplink receiver. It further believes that this information could be extremely valuable to discussions regarding frequency allocations. Nevertheless, Leo One USA remains unconvinced that the purpose of the proposed FAI experimental satellite is to obtain technical analysis to be used at WRC-95. This is for several reasons. First, it is impossible to see how the information could be gathered and analyzed in a meaningful way to be useful in discussions preceding WRC-95. Presuming that FAI has not engaged in premature construction, it is impossible to build a satellite, prepare the satellite for launch, transport the satellite to a launch site, test the satellite in-orbit, bring it into operational use and conduct meaningful data collection in a statistically significant manner in less than five months. This fact alone demonstrates that FAI is not being completely honest in describing the purpose of its experimental program.

Second, it remains a mystery why FAI needs 1,848 remote terminals. As Leo One USA stated in its Petition to Deny, in order to evaluate the potential for interference into the NVNG MSS downlink receivers "it is not necessary to launch a satellite or operate a single transceiver." This is because the level of terrestrial interference into a NVNG MSS downlink is more accurately measured terrestrially.¹

Leo One USA does believe that it would be helpful to determine the level of interference into the uplink receiver at the satellite. It would be quite useful to determine the noise level at the satellite and the number of open terrestrial channels within a satellite footprint. Leo One USA fails to understand how the use of 1,848 remote terminals will assist in this endeavor. A frequency analyzer on the satellite will provide all the relevant information needed to determine the level terrestrial interference into the uplink receiver and the number available channels.

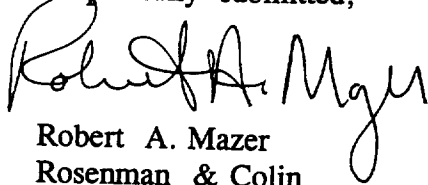
Although, Leo One USA continues to oppose the FAI experimental application, it does believe that the NVNG MSS proponents should work together to develop meaningful data on the interference environment. Given the limited time available, it does not seem possible to develop an in-space experimental program before the WRC. Nevertheless, Leo One USA is prepared to work with FAI and other proponents to develop relevant information to support U.S. interests at WRC-95.

¹ Leo One USA Petition to Deny at 7. This is precisely the analysis that Leo One USA has undertaken and submitted to the Commission with its reply comments to the Second Notice of Inquiry in the FCC WRC proceeding. Leo One USA is continuing to collect and analyze information on the interference environment in bands below 500 MHz and will submit a follow-on report of its finding to the Commission shortly.

CONCLUSION

For the foregoing reasons, Leo One USA continues to oppose the experimental application of FAI.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Mazer", is written over the typed name.

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(202) 463-4645

June 7, 1995

Attorney for Leo One USA Corporation

CERTIFICATE OF SERVICE

I, Robert A. Mazer, to hereby certify that the foregoing "Comments" of Leo One USA Corporation was served by hand or first-class mail, postage prepaid, on this 7th day of June, 1995, on the following persons:

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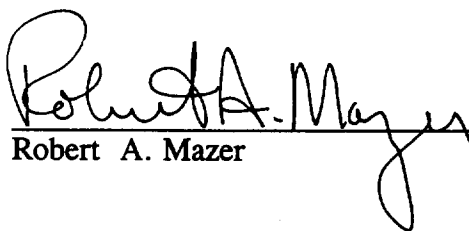
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