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January 13, 1998

Mr. Steve Sharkey
Chief, Satellite Engineering Branch
Satellite and Radiocommunication Division
International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 512
Washington, D.C. 20554

**Re: Maritime Telecommunications Network, Inc.
Experimental License to Operate Shipboard Earth Stations
Call Sign KI2XEE**

Dear Steve:

Pursuant to our meeting with you on January 9, 1998, on behalf of Maritime Telecommunications Network, Inc. ("MTN"), we are writing to confirm that your staff intends to take steps to discuss with the Office of Engineering and Technology ("OET") the expansion of MTN's above-referenced experimental authority to allow operation of up to 250 Shipboard Earth Stations ("SEs"). As noted in the letter from Doug Young at OET granting the experimental authorization for 45 ships (see attached copy), OET's sole impediment to authorizing operation on 250 ships is general permission from the International Bureau to grant such authority.¹ Based on our conversation with you in the meeting on Friday, we understand that you plan to advise OET that the International Bureau supports grant of the request for expansion of authority.

MTN requires some type of authority from the Commission to establish a broader record of non-interference for the upcoming 1999 World Radio Conference ("WRC"). As you are aware, MTN was successful at WRC-97 in having its proposal for a primary SES frequency allocation placed on the WRC-99 agenda. While MTN's record of non-interference has been stellar thus far, and MTN foresees that further testing will be equally successful, MTN requires actual data to persuade the international community that its unique service deserves a primary frequency allocation. Currently, MTN only has authority from the Commission to operate 45 SEs; without a grant of special temporary or experimental authority, MTN will be unable to demonstrate non-interference while operating a realistic number of stations.

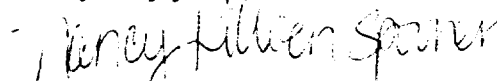
As we have discussed in previous meetings with your staff, Part 25 of the Commission's

¹ MTN filed a Petition for Partial Reconsideration of the OET's partial grant on December 19, 1997. A copy of the Petition is attached.

Rules does not include procedures for obtaining developmental authorization to provide satellite services. Unlike the vast majority of other wireless services,² the satellite service rules were streamlined to eliminate developmental authorizations. In eliminating these rules, the Commission stated that "a developmental authorization appears tantamount to an experimental authorization issued by OET."³ Furthermore, the Commission stated that "*OET will coordinate with the International Bureau and confirm that the development operations are compatible with authorized services in the selected bands.*"⁴ It seems clear from this Order that the Commission did not intend to prohibit the development of innovative frequency uses; rather, the developmental rules were eliminated from the Commission's satellite rules because they were considered completely redundant. Our prior conversations with Tom Stanley of the Wireless Bureau support this interpretation, and we encourage you to discuss this issue with him if it would be helpful.

Please do not hesitate to contact us if you have any further questions regarding these issues.

Very truly yours,



Helen E. Disenhaus

Nancy Killien Spooner

cc: Mr. Douglas Young, OET
Mr. Thomas Stanley, WTB
Dr. Robert Hanson
Julia Waysdorf, Esq.
Eliot Greenwald, Esq.

² Such services include cellular service and common carrier paging, Section 22.401, *et al.*; private land mobile services, private paging, specialized mobile radio ("SMR") services, and 220 MHz service, Section 90.501, *et al.*; microwave service and digital electronic message service, Section 101.401, *et al.*; and local multipoint distribution service ("LMDS") and multichannel multipoint distribution service ("MMDS"), Section 21.400 *et al.*

³ *Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures, Report & Order*, 11 FCC Rcd 21581, ¶ 51 (1996).

⁴ *Id.* (emphasis added).