



PUBLIC NOTICE

Federal Communications Commission
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DA 00-2600
November 17, 2000

WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON TERION, INC.'S REQUEST TO MODIFY ITS AUTHORIZATION TO OPERATE A SHORT-DATA MESSAGING SYSTEM IN THE HIGH FREQUENCY (HF) RANGE UNDER PART 90 OF THE RULES

Comment Date: December 18, 2000

Reply Date: January 2, 2001

On July 28, 2000, Terion, Inc. (Terion), formerly Flash Comm, Inc., filed an FCC Form 600 Application to modify station WPKU683. As background regarding this matter, on July 10, 1997, the Wireless Telecommunications Bureau conditionally granted authority to Flash Comm, Inc., to construct and operate, on a secondary basis, a nationwide, commercial, two-way short-data messaging system in the HF range of the electromagnetic spectrum (3 to 30 MHz), subject to certain technical and operational limitations.¹

Terion states in its application that it seeks to modify its existing authorization to: (1) increase the amount of spectrum authorized from 2.862 MHz (954 channels) to 11.448 MHz (3,816 channels); (2) increase the total HF energy transmitted daily from 2 million Watt-seconds to 8 million Watt-seconds; (3) increase the aggregate transmissions per hour from one percent (36 seconds) to four percent (144 seconds); and (4) obtain a renewal expectancy in the event it provides a showing of substantial service prior to the expiration of its five-year license term, thus obviating the need for a rule making proceeding.

We seek comment on Terion's request. Interested parties may file comments on or before December 18, 2000. Parties interested in submitting reply comments must do so on or before January 2, 2001. All comments should reference Terion's request for modification of station WPKU683 and include the DA number of this Public Notice DA 00-2600. Comments should be filed with the Office of the Secretary, Federal Communications Commission, TW B204, 445 12th St. S.W., Washington, DC 20554. Comments also should be provided to Jay Jackson, Room No. 4-C 234, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th St. S.W., Washington, DC 20554.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. 47 C.F.R. §§ 1.1200(a), 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

¹ See Flash Comm, Inc. Request for Waiver of the Commission's Rules Regarding Its Application for Authorization in the High Frequency Band, *Order*, 12 FCC Rcd 9877 (rel. July 10, 1997).

Terion's request for modification of station WPKU683 is also available for public inspection and copying in the Reference Center, Room CY A257, 445 12th St., S.W., Washington, DC 20554. Copies of the request are also available from ITS at 1231 20th St. N.W., Washington, DC 20036, or by calling (202) 857-3800.

For further information, contact Jay Jackson at (202) 418-1309 or jackson@fcc.gov.

By the Chief, Commercial Wireless Division, Wireless Telecommunications Bureau.