



PUBLIC NOTICE

Federal Communications Commission
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DA 01-933
April 23, 2001

Comments Requested on The MITRE Corporation Report on Technical Analysis of Potential Harmful Interference to DBS from Proposed Terrestrial Services in the 12.2 – 12.7 GHz Band (ET Docket 98-206)

On April 18, 2001, MITRE Corporation delivered to the FCC a Report titled “Analysis of Potential MVDDS Interference to DBS in the 12.2-12.7 GHz Band.” The MITRE Corporation report was conducted pursuant to Section 1012, Prevention of Interference to Direct Broadcast Satellite Services, of the Commerce, Justice, State and Judiciary Appropriations Act, (CJSJA Act), H.R. 5548 (enacted on December 21, 2000, as part of Pub. L. 106-553). This document can be found through the Commission’s Electronic Comment Filing System (ECFS) at www.fcc.gov/e-file/ecfs.html. It can also be found directly at www.fcc.gov/oet/inf/mitrereport/. (The report contains many color diagrams so use of a color printer is recommended in order to follow the technical details in hard copies.) Pursuant to the statute, we seek comment on this report.

The *First Report and Order and Further Notice of Proposed Rulemaking* in ET Docket 98-206, released December 8, 2001 (http://www.fcc.gov/Bureaus/Engineering_Technology/Orders/2000/fcc00418.pdf) proposed that a new Multichannel Video Distribution and Data Service (MVDDS) share the existing Direct Broadcast Satellite Service (DBS) downlink allocation at 12.2-12.7 GHz. The MITRE Corporation report addresses the question of possible interference from MVDDS to DBS users in accordance with Section 1012 of the CJSJA Act.

Comments on The MITRE Corporation report shall be filed by no later than May 15, 2001. Replies to the comments shall be filed no later than May 23, 2001. Comments and replies are to be filed with the Commission following the same procedures applicable to the First Report and Order and Further Notice of Proposed Rule Making in this proceeding, ET Docket No. 98-206. Comments filed through the ECFS can be sent as an electronic file via the Internet at www.fcc.gov/e-file/ecfs.html. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To obtain filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message: “get form <your e-mail address>”. A sample form and directions will be sent in reply.

Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS) or by filing paper copies. Generally, only one electronic submission must be filed. If filing by paper, parties must file an original and four copies. Parties should send comments to the Office of the Secretary, Federal

Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. Parties are also encouraged to file a copy of all pleadings on a 3.5 inch diskette in Word 97 format.

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. See 47 C.F.R. §§ 1.1200 and 1.1206. Persons making oral ex parte presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance or 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 generally is 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 47 C.F.R. § 1.1206(b).

This action is taken pursuant to authority found in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r); and pursuant to Sections 0.31 and 0.241 of the Commission's Rules, 47 C.F.R. §§ 0.31 and 0.241.

By the Acting Chief, Office of Engineering and Technology

Office of Engineering and Technology contacts:

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