

**JOINT STATEMENT OF COMMISSIONERS
MICHAEL J. COPPS AND JONATHAN S. ADELSTEIN
APPROVING IN PART AND CONCURRING IN PART**

Re: Amendment of the Commission's Policies and Rules for Processing Applications in the Direct Broadcast Satellite Service; Feasibility of Reduced Orbital Spacing for Provision of Direct Broadcast Satellite Service in the United States (Notice of Proposed Rulemaking, IB Docket No. 06-160, Report No. SPB-196)

Today the Commission seeks comment on how to deal with proposals to launch so-called 'tweener satellites which would operate in the orbital spaces between existing DBS satellites. This is an important and complex question, and we are glad the Commission approaches it through a comprehensive rulemaking process. As the record before the Commission indicates, the views of satellite operators about the technical feasibility of 'tweeners are currently in a state of flux. Indeed, though the two providers of retail DBS service in the United States initially disagreed about the advisability of permitting 'tweeners, both now believe that the approach raises significant interference concerns.

We concur in part, however, because of that portion of the item that states the Commission "may" grant pending 'tweener applications before completing this rulemaking. That strikes us as putting the cart in front of the horse. We believe the better course would be to refrain from approving any applications until the Commission can develop a comprehensive framework for these matters. Such an approach would ensure that the millions of current DBS subscribers are not subject to any potential for interruptions to their service.