

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2, 74, 78, 101

[ET Docket No. 95-18; FCC 98-309]

Allocation of Spectrum at 2 GHz for Use by the Mobile-Satellite Service

AGENCY: Federal Communications Commission.

ACTION: Confirmation of final rule.

SUMMARY: By this *Memorandum Opinion and Order*, the Commission confirms its allocation of 70 megahertz of spectrum at 1990-2025 MHz and 2165-2200 MHz to the Mobile-Satellite Service (MSS), to become available on January 1, 2000. The Commission requires new MSS licensees to bear the cost of relocating Broadcast Auxiliary Service (BAS) licensees in the 1990-2110 MHz band, and Fixed Service (FS) microwave licensees from the 2110-2130 MHz and 2165-2200 MHz bands in cases where sharing between MSS and FS is not possible.

DATES: Effective December 17, 1998.

FOR FURTHER INFORMATION CONTACT: Sean White, Office of Engineering and Technology, 202/418-2453.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Memorandum Opinion and Order* adopted November 19, 1998, and released November 25, 1998. The full text of this Commission decision is

available for inspection and copying during regular business hours in the FCC Reference Center (Room CY-C404), 445 Twelfth Street, SW, Washington, DC. The complete text of this decision also may be purchased from the Commission's duplication contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, N.W., Washington, D.C. 20036.

Summary of Memorandum Opinion and Order

1. In this *Memorandum Opinion and Order*, the Commission confirms its decision to allocate 70 megahertz of spectrum at 1990-2025 MHz and 2165-2200 MHz to the Mobile-Satellite Service (MSS). In the March 1997 *First Report and Order and Further Notice of Proposed Rule Making* in ET Docket No. 95-18, 62 FR 19509, April 22, 1997, we allocated the 1990-2025 MHz and 2165-2200 MHz bands to the Mobile-Satellite Service (MSS).

2. We continue to believe that a need exists for allocating a substantial amount of spectrum for MSS. There is significant consumer demand for convenient mobile services such as telephone, high-rate data and fax, and video. MSS can provide such communications in remote or rural areas not covered by terrestrially based mobile services, and can provide nationwide public safety coverage. We also believe that use of 2 GHz frequencies can help minimize

transmission costs and ensure a relatively low cost service that will be within the economic reach of a large segment of the population. Thus, the allocation of 70 MHz of spectrum to MSS will give the public, especially rural Americans, access to new and competitive services and technologies.

3. This allocation would require that the candidate bands be cleared of BAS incumbents in the 1990-2025 MHz band. In order to accommodate these incumbents, we confirm our decision to require MSS licensees to bear the costs of moving BAS licensees to their new band. The MSS allocation would also require relocation of FS microwave incumbents. We addressed this issue in the *First Report and Order and Third Notice of Proposed Rule Making* in ET Docket No. 92-9, 58 FR 46457, September 2, 1993, and will follow the same procedures, requiring that MSS licensees bear the cost of relocating BAS and FS microwave incumbents in the 1990-2025 MHz and 2165-2200 MHz bands.

List of Subjects in 47 CFR Parts 2, 74, 78, and 101

Radio.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

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