



Government of Bermuda
Department of Telecommunications

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Your Ref:
Our Ref: DOT 206/4
Date: April 21, 2004

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

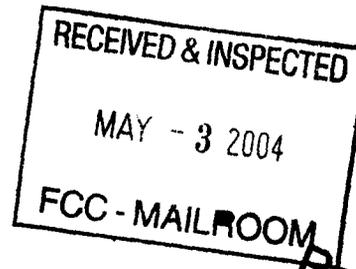
Mrs. Dortch:

Re: EX PARTE (Report No. SPB-196)
Proposals to Permit Reduced Orbital Spacings between U.S. Direct Broadcast Satellites

On Wednesday, March 3rd 2004, Mr. Phillip Perinchief (Principal Crown Counsel of the Attorney General's Chambers) and I, William Francis (Acting Director of Telecommunications) representing the Government of Bermuda met Mr. Donald Abelson (Chief, International Bureau of the FCC). The venue was the Satellite 2004 Conference in Washington, D.C. and the occasion was after a session on International Policy, Regulations & Trade, where Mr. Abelson was a speaker.

During the session, Mr. Abelson referred to the recent FCC Public Notice which was seeking comments on the proposal to permit the reduction of orbital spacings between U.S. Direct Broadcast Satellites (Report No. SPB-196). At the conclusion of the session, I introduced myself to Mr. Abelson and informed him that the Government of Bermuda had in fact responded to the Notice and would be watching the proceedings with great interest. I also took the opportunity to reiterate the key points made in our reply, which were:

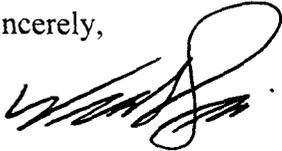
- The longstanding and continuous relationship between Bermuda and the U.S. with respect to trade, telecommunications and military affairs.
- Acknowledgement of Bermuda's orbital slot allotment at -96.2° West Longitude (WL), which is one of three slots as designated by the ITU at the 1983 Regional Radio Conference.
- Bermuda's intent to seek market entry into the U.S. under DISCO II and to "coordinate" via the ITU.
- Bermuda's request that the FCC protect existing satellite slot allotments from "harmful interference" from any conflicting requests for new U.S. licenses.



In concluding our discussion, I informed Mr. Abelson that the Government of Bermuda was aware that the Isle of Man had expressed an interest in a slot assignment at -96.5° WL and that we were concerned about the impact this would have on Bermuda's opportunity to serve the U.S. market from our existing slot. I also informed Mr. Abelson that representations from our highest level of Government had been made to the U.K. Foreign and Commonwealth Office (FCO) and to the Office of Communications (Ofcom) from my Office, seeking immediate discussions with the Isle of Man and that our hope was that the FCC would not grant any assignments at -96.5° WL until these discussions were concluded and the concerns of the Bermuda Government had been addressed.

In accordance with Section 1.1206(b) of the Commission's rules, an original and one copy of this letter are being filed.

Sincerely,



William G. Francis, CCP
Director of Telecommunications

Cc: The Hon. Renee Webb, JP, MP – Minister of Tourism, Telecommunications & eCommerce
The Hon. Larry Mussenden - Attorney General
Mr. Philip Perinchief – Principal Crown Counsel

Mr. Donald Abelson – Chief, International Bureau