



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. SAT-00037

Wednesday February 16, 2000

SATELLITE POLICY BRANCH INFORMATION

Satellite Applications Accepted for Filing

The applications listed below have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of the applications if, upon further examination, it is determined the application is not in conformance with the Commission's rules or its policies. Petitions, oppositions and other pleadings filed in response to this notice should conform to Section 25.154 of the Commission's rules, unless otherwise noted. 47 C.F.R. § 25.154.

SAT-T/C-20000203-00056 CCC/174-X COLUMBIA COMMUNICATIONS CORPORATION

Transfer of Control

FROM: Columbia Communications Corporation

TO: GE AMERICAN COMMUNICATIONS, INC.

The Commission has received two related applications requesting consent to transfer certain authorizations from Columbia Communications Corporation (Columbia) to CCC Merger Sub Inc., a wholly-owned subsidiary of GE American Communications, Inc. (GE Americom) (together, applicants). The applicants request authority for the transfer of control of the following space station licenses: (1) a license to lease capacity on a satellite located at 37.5° W.L. to provide fixed satellite service in the C-band; (2) a license to lease capacity on a satellite located at 47° W.L. to provide fixed satellite service in the C-band; (3) a license to lease capacity on a satellite located at 174.3° W.L. to provide fixed satellite service in the C-band; and (4) a license to construct, launch, and operate a C-band satellite at 47° W.L., and a hybrid C/Ku-band satellite at 172° E.L. The applicants also seek authority for the transfer of control of a license for a C-band transmit/receive earth station, call sign E980105 (See Application File No. SES-T/C-20000203-00142, Public Notice, Report No. SES-00156, released February 16, 2000.)

GE Americom is an indirect wholly-owned subsidiary of General Electric Corporation, a New York corporation. GE Americom is incorporated in Delaware with its principle office in New Jersey. CCC Merger Sub, Inc. was created for the purpose of facilitating the proposed merger with Columbia. If approved, the proposed merger would result in Columbia becoming a wholly-owned subsidiary of GE Americom. The applicants claim that the resulting entity would combine Columbia's international services with GE Americom's primarily domestic services, and be better able to compete with other entities with global satellite networks.

In addition, the applicants request exemption from the "cut-off" rule pursuant to Section 25.116(c)(2) of the Commission's rules, 47 C.F.R. § 25.116(c)(2), for pending applications filed by Columbia. According to the applicants, mergers are considered "major amendments" under the Commission's rules, and a pending application may "lose its place in the processing line" unless the Commission grants an exemption pursuant to Section 25.116(c)(2). The applicants list four applications filed by Columbia: (1) an application to modify Columbia's authorization at 37.5° W.L. to operate of Ku-band capacity for service in the Southern Hemisphere; (2) an application to modify Columbia's authorization at 47° W.L. to add Ku-band capacity; (3) an application, filed March 31, 1987, to construct, launch, and operate a satellite at 49° W.L., subsequently amended to move the proposed satellite to 47° W.L.; and (4) an application to extend Special Temporary Authority to lease capacity on a satellite located at 47° W.L. Although the applicants characterize all these applications as "pending," they note that the International Bureau (Bureau) consolidated the second and third applications, and acted by denying the applications in an Order released on January 21, 2000. [Columbia Communications Corporation, Memorandum Opinion and Order, DA 00-113 (released Jan. 21, 2000).]

The applicants request expedited treatment on this application. Comments or petitions to deny may be filed on or before March 17, 2000. Reply comments or oppositions to petitions to deny may be filed on or before March 27, 2000. Responses may be filed on or before April 3, 2000.

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, 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).

All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 - 12th Street, S.W., TW-A325, Washington, D.C. 20554. In addition, one copy of each pleading may be filed with the Commission's duplicating contractor, International Transcription Services (ITS), 1231 - 20th Street, N.W., Washington, D.C. 20036, and one copy with Steven Spaeth, Satellite and Radiocommunication Division, International Bureau, Room 6-B434, 445 - 12th Street, S.W., Washington, D.C. 20554.

For further information, contact Kathleen Campbell at (202) 418-0753, or Steven Spaeth (202) 418-1539.

For more information concerning this Notice, contact the Satellite and Radiocommunication Division at 418-0719; TTY 202-418-2555.