

Before the
Federal Communications Commission
Washington DC 20554

In the Matter of

Procedures to Govern the Use of Satellite
Earth Stations on Board Vessels in the 5925-
6425 MHz/3700-4200 MHz Bands and
14.0-14.5 GHz/11.7-12.2 GHz Bands

IB Docket No. 02-10

MOTION TO STRIKE

Pursuant to Sections 4(i) and 4(j) of the Communications Act,¹ the Fixed Wireless Communications Coalition (FWCC), a coalition of companies, associations, and individuals interested in the Fixed Service,² moves the Commission to strike from the record the italicized words in the following passage as untrue, incivil, defamatory, and offensive to the dignity of these proceedings:

The Commission's unabashed desire to cleanse the C-band of ESVs . . . *kowtows to the unsubstantiated paranoia and irresponsibly unrealistic refusal* of the [Fixed Service] industry to share the burden of maximizing the efficient use of the radiofrequency spectrum.³

¹ 47 U.S.C. Secs. 154(i), (j).

² The FWCC's membership includes manufacturers of microwave equipment, licensees of terrestrial fixed microwave systems and their associations, and communications service providers and their associations. The membership also includes railroads, public utilities, petroleum and pipeline entities, public safety agencies, and/or their respective associations, landline and wireless, local, and interexchange carriers, and telecommunications attorneys and engineers. Our members build, install, and use both licensed and unlicensed point-to-point, point-to-multipoint, and other fixed wireless systems, in frequency bands from 900 MHz to 95 GHz. For more information, see www.fwcc.us.

³ Comments of Maritime Telecommunications Network, Inc. at 6 (filed Feb. 23, 2004) (*italics added*).

There are no grounds to support this language. Its inclusion in MTN's pleading goes far beyond the bounds of fair adversarial comment.

Respectfully submitted,

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March 24, 2004

CERTIFICATE OF SERVICE

I, Deborah N. Lunt, a secretary with the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby state that a true copy of the foregoing Motion to Strike was hand delivered (except as indicated) this 24th day of March, 2004, to the following:

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/s/
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