

from the U.S. orbit locations in Amendment to the Commission's Regulatory Policies Governing Domestic Fixed Satellites and Separate International Satellite Systems, *Report and Order* ("DISCO I"), 11 FCC Rcd 2429 (1996), that decision had no effect on DBS operators' obligation to comply with the ITU Region 2 Band Plan. Therefore, the Commission finds that *DISCO I* should not be read to mean that the DBS licenses that it intends to assign by competitive bidding are to be used to provide an international satellite service, or to establish a basis for concluding that the auction prohibition of the ORBIT Act should apply to such U.S.-assigned DBS licenses. The Commission's conclusion that DBS service from the eight orbit locations assigned to the United States is predominantly domestic is consistent with actual service offerings and does not represent a departure from *DISCO I*.

#### *B. Eligibility for the Three Available Western DBS Licenses*

9. The Commission declines to adopt any eligibility restrictions for the three available DBS licenses at the 175° W.L., 166° W.L., and 157° W.L. orbit locations. In the part 100 proceeding, it considered a wide range of questions relating to whether ownership restrictions of any kind are appropriate for the DBS service, and it concluded that generally they were not.

10. No commenter proposed any eligibility restrictions for the available licenses at the 175° W.L., 166° W.L., and 157° W.L. orbit locations. This results in a record that lacks information regarding circumstances that would cause the Commission to impose eligibility restrictions in the DBS service with respect to these three licenses. Therefore, based on the record before it, the Commission concludes that there is no reason for it to deviate from any of its decisions in the *Part 100 R&O* as they apply to these licenses.

11. On the other hand, the Commission has received detailed comments presenting a number of arguments regarding the issue of whether it should adopt eligibility restrictions for the available license at 61.5° W.L. The Commission will address the matter of eligibility for the 61.5° W.L. license in a separate order, which it will issue as soon as it resolves the relevant issues that have been raised with respect to that license.

#### **IV. Conclusion**

12. For the reasons stated above, the Commission concludes that it has the authority to auction DBS licenses for the use of channels at the eight orbit

locations to which the United States is assigned under the ITU Region 2 Band Plan, and that this authority has not been altered or diminished by the Commission's adoption of *DISCO I* or the enactment of section 647 of the ORBIT Act. The Commission also concludes that no eligibility restrictions on the available DBS licenses at the 175° W.L., 166° W.L., and 157° W.L. orbit locations are warranted, and it will maintain its policy of open eligibility for these licenses. The Commission reaches no conclusions concerning whether it should impose any eligibility restrictions on the license for the two unassigned channels at the 61.5° W.L. orbit location and defers the resolution of that issue to a separate order.

#### **V. Ordering Clause**

13. Accordingly, it is ordered that, pursuant to sections 4(i), 303(r), and 309(j) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(r), and 309(j), the *DBS Order* is hereby adopted.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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#### **FEDERAL COMMUNICATIONS COMMISSION**

##### **Second Meeting of the Advisory Committee for the 2007 World Radiocommunication Conference (WRC-07 Advisory Committee)**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, this notice advises interested persons that the second meeting of the WRC-07 Advisory Committee will be held on June 8, 2004, at the Federal Communications Commission. The purpose of the meeting is to continue preparations for the 2007 World Radiocommunication Conference. The Advisory Committee will consider any preliminary views introduced by the Advisory Committee's Informal Working Groups.

**DATES:** June 8, 2004; 10 a.m.–12 noon.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Room TW-C305, Washington DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Alexander Roytblat, FCC International Bureau, Strategic Analysis and Negotiations Division, at (202) 418-7501.

**SUPPLEMENTARY INFORMATION:** The Federal Communications Commission (FCC) established the WRC-07 Advisory Committee to provide advice, technical support and recommendations relating to the preparation of United States proposals and positions for the 2007 World Radiocommunication Conference (WRC-07).

In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, this notice advises interested persons of the second meeting of the WRC-07 Advisory Committee. The WRC-07 Advisory Committee has an open membership. All interested parties are invited to participate in the Advisory Committee and to attend its meetings. The proposed agenda for the second meeting is as follows:

#### **Agenda**

Second meeting of the WRC-07 Advisory Committee, Federal Communications Commission, 445 12th Street, SW., Room TW-C305, Washington, DC 20554, June 8, 2004; 10 a.m.–12 noon.

1. Opening remarks.
2. Approval of agenda.
3. Approval of the minutes of the first meeting.
4. IWG reports and documents relating to preliminary views.
5. Future meetings.
6. Other business.

Federal Communications Commission.

**Don Abelson,**

*Chief, International Bureau.*

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#### **FEDERAL COMMUNICATIONS COMMISSION**

##### **Network Reliability and Interoperability Council**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act (FACA), this notice advises interested persons of the first meeting of the Network Reliability and Interoperability Council (Council) under its charter renewed as of December 29, 2003. The meeting will be held at the Federal Communications Commission in Washington, DC.

**DATES:** Tuesday, March 30, 2004 beginning at 10 a.m. and concluding at 1 p.m.

**ADDRESSES:** Federal Communications Commission, 445 12th St, SW., Room TW-305, Washington, DC.