

From: Jeff Rummel

To: Leann Nguyen  
Date: May 03, 2019

Subject: Request for Info - File # 0072-EX-CM-2019

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Message:

Ms. Nguyen:

In light of the International Bureau's reply below, it is BAE Systems's understanding that:

- BAE Systems does not need to obtain the consent of Audacy with respect to Pending File No. 0072-EX-CM-2019, and no further action is required by BAE Systems to address your inquiry under Reference Number 47847.
- The Commission will retain the "Notification" requirement for Audacy in the Special Conditions for Station WJ2XTF, and that upon grant of the modification requested in File No. 0072-EX-CM-2019, BAE Systems will notify Audacy of the granted modification.

If these understandings are incorrect, please contact me directly.

BAE Systems respectfully requests that the Commission proceed with final processing and grant of this application.

Best regards,

Jeff Rummel  
Attorney for BAE Systems

Jeffrey E. Rummel  
Partner

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From: Stephen Duall  
Sent: Friday, May 3, 2019 4:18 PM  
To: Rummel, Jeffrey  
Cc: Anthony Serafini ; Leann Nguyen  
Subject: RE: Follow-Up re: Our Discussion in March re: BAE Systems Experimental Station WJ2XTF - Audacy Notification

IB has sent a response to OET just now asking to reissue the grant conditions to provide for notice to Audacy, instead of prior consent from Audacy, consistent with our prior discussions. Thank you for flagging this.

Steve

From: Stephen Duall  
Sent: Friday, May 3, 2019 12:59 PM  
To: Rummel, Jeffrey  
Cc: Anthony Serafini ; Leann Nguyen  
Subject: RE: Follow-Up re: Our Discussion in March re: BAE Systems Experimental Station WJ2XTF - Audacy Notification

Looking into this. Should be prior notice based on our previous discussion. I've forwarded your email and my thoughts to the IB person responsible for review of experimental applications. Want to make sure I am not missing anything. After I closed the loop there, I will get back to you with next steps. Likely IB will just ask whether OET would agree to reissue license with a change of that condition. Thanks.

Stephen J. Duall  
Chief, Policy Branch  
Satellite Division, International Bureau  
Federal Communications Commission

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From: Rummel, Jeffrey  
Sent: Friday, May 3, 2019 12:40 PM  
To: Stephen Duall  
Cc: Leann Nguyen ; Anthony Serafini ; Dionne, Austin J (US)  
Subject: Follow-Up re: Our Discussion in March re: BAE Systems Experimental Station WJ2XTF - Audacy Notification

Steve:

Hope all is well ! I am cc:ing Experimental Branch Chief Tony Serafini and Experimental Branch Processor Leann Nguyen on this message, as well as BAE Systems' Austin Dionne.

#### Background

As you will recall, back in March we discussed BAE Systems' then-pending application to modify Experimental Station WJ2XTF, and as a result of those discussions the International Bureau agreed to a condition which required "Notice" to Audacy rather than "Consent" because Audacy has not yet commenced service under its Space Station license. That Audacy "Notice" requirement was ultimately imposed at Special Condition 6 of the license that was granted - see attached "Current WJ2XTF License.pdf";:

Pursuant to that Special Condition, BAE Systems did in fact provide Notice to Audacy - see attached email to Audacy dated 3/18/19.

#### Current Situation

This email is to advise you that:

- BAE Systems has filed another application to modify the Experimental Station WJ2XTF, under pending File No. 0072-EX-CM-2019 - see attached "Pending BAE Systems Application - File No. 0072-EX-CM-2019";

- After submission of that pending application, BAE Systems received the following notice from the Experimental Branch which states that "As a request from International Bureau, please submit a written consent from Audacy Corporation for operations in the 24.45-24.75 GHz or remove this band."

- Because Audacy has still not yet commenced service, BAE Systems respectfully requests that the International Bureau confirm to the Experimental Branch that "for pending application under File No. File No. 0072-EX-CM-2019 - post-grant "Notice" to Audacy remains acceptable, as was deemed acceptable for the prior application, and that "Consent" from Audacy is not required at this time.

Best regards,

Jeff Rummel  
Attorney for BAE Systems

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Partner

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