

Coudert Brothers LLP

ATTORNEYS AT LAW

150 Years of excellence, innovation, and global service

1627 I STREET, N.W.
WASHINGTON, D.C. 20006-4007
TEL: (202) 775-5100
FAX: (202) 775-1168
WWW.COUDERT.COM

north america

LOS ANGELES, NEW YORK, PALO ALTO,
SAN FRANCISCO, WASHINGTON

europa

ANTWERP, BERLIN, BRUSSELS, FRANKFURT, GHENT,
LONDON, MILAN, MOSCOW, MUNICH, PARIS, ROME,
ST. PETERSBURG, STOCKHOLM

asia/pacific

ALMATY, BANGKOK, BEIJING, HONG KONG,
JAKARTA, SINGAPORE, SYDNEY, TOKYO

associated offices

BUDAPEST, MEXICO CITY, PRAGUE, SHANGHAI

VIA ELECTRONIC FILING

September 9, 2005

Marlene H. Dortch
Secretary
Federal Communications Commission
c/o 236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

Attn: Cassandra Thomas, Chief
Satellite and Radio Communications Division
International Bureau

Re: FTMSC LLC; Emergency Request for
Extension of Special Temporary Authority

EXPEDITED PROCESSING REQUESTED

Dear Ms. Dortch:

FTMSC USA, LLC ("FTMSC"), by its undersigned counsel, respectfully requests the Federal Communications Commission ("Commission") to grant it an extension of its current Special Temporary Authority ("STA") pursuant to Section 25.120 of the Federal Communications Commission's ("Commission's") Rules, 47 C.F.R. § 25.120, and Sections 214 and 308 of the Communications Act, 47 U.S.C. §§ 214, 308, to enable FTMSC to continue to provide Inmarsat mobile satellite services using up to 2,000 M4 and 2,000 available Mini-M Inmarsat terminals in the areas affected by Hurricane Katrina for a period of one-hundred and eighty (180) days. FTMSC was granted, and is operating under, STA for a period of thirty (30) days, commencing September 1, 2005 by FCC ITC-STA-20050906-00362.¹ The provision of services for 180 days would be in accordance with 47 C.F.R. §25.121(b)(2).

¹ FTMSC also intends to distribute Iridium terminals to customers in the United States. However, because Iridium is the licensed carrier for these services, FTMSC does not believe that an authorization for this distribution is necessary. See Iridium Carrier Services LLC, *Radio Station Authorization*, File No. SES-LIC-

As the Commission is well aware, there is a desperate need for satellite communications in certain parts of Louisiana, Alabama, Mississippi and Florida which have been devastated by Hurricane Katrina. FTMSC has been requested by numerous federal, state and local emergency responders, as well as news organizations and other private entities, to provide required mobile satellite services in those areas.

FTMSC is not currently authorized to provide permanent mobile satellite services in the United States, and does not hold a Section 214 authorization for this period. FTMSC proposes to provide mobile satellite services to these areas, however, using the Inmarsat-3 satellite, and the M-4 and Mini-M Inmarsat Terminals.² The Commission has previously authorized other carriers and private companies to provide these exact same services using these exact same terminals back in 2001.³ However, due to the devastation of the communications network in those areas hit by Hurricane Katrina, current authorized licensees, we have been advised, are not able to meet demand for these mobile satellite services. This need will extend beyond the current STA period. As such, grant of this request is in the public interest.

FTMSC agrees to provide these mobile satellite services on a non-interference basis.

At this time, FTMSC does not intend to apply for permanent authority to provide these same services. The current demand for such services is high due to the devastation of the communications network of the areas hit by Hurricane Katrina. FTMSC does not at this time foresee continued increased demand for such services once the communications networks in those areas are re-established. If FTMSC determines this to not be the case, then it will immediately apply for permanent authority to provide these services at that time.

Attached as Exhibit A please find FTMSC's ownership information which demonstrates why FTMSC is entitled to such authority under Title III of the Act. Further, attached as Exhibit B is a list of information required under Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, for grant of this request under Title II of the Act.

19960116-00005 (Oct. 30, 1999), and amendments. If authority is needed, FTMSC requests Special Temporary Authority to distribute Iridiumterminals and services as well.

² The manufacturers of these terminals are: Nera and Thrane & Thrane. The Commission has authorized these terminals for operation in the United States. See footnote 3 below.

³ The Commission authorized the following carriers and companies to provide these services in the United States: Comsat Corporation, Stratos Mobile Networks (USA), LLC, Marinsat Communications Network, Inc., Honeywell, Inc., Deere & Company, Sita Information Computing Canada, Inc., and IDB Mobile Communications Inc. See *In Re Comsat Corporation, Application for Blanket Authority to Operate Up to 1000 Inmarsat M-4 Mobile Earth Terminals Using Inmarsat Ltd. Satellites, and Application for Blanket Authority to Operate up to 1000 Inmarsat Mini-M Mobile Earth Terminals Using Inmarsat Ltd. Satellites, etc., Memorandum, Opinion, Order and Authorization*, FCC 01-272 (rel. October 9, 2001)(“*Stratos Order*”).

Marlene H. Dortch, Secretary
September 9, 2005

COUDERT BROTHERS LLP

Page 3 of 3

Kindly direct any questions regarding this filing to the undersigned.

Best regards,

A handwritten signature in black ink that reads "William K. Coulter". The signature is written in a cursive style with a prominent horizontal stroke at the end.

William K. Coulter
Counsel to FTMSC USA, LLC

Exhibits

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
FTMSC Extension of STA

1. Applicant

Name:	FTMSC USA, LLC	Phone Number:	202-822-2100
DBA Name:		Fax Number:	202-822-2099
Street:	1717 K Street, N.W. Suite 507	E-Mail:	danielle.aguto@ftna.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -
Attention:	Danielle Aguto		

2. Contact

Name:	William K. Coulter	Phone Number:	202-775-5100
Company:	Coudert Brothers LLP	Fax Number:	202-775-1168
Street:	1627 I Street, N.W. Suite 1200	E-Mail:	coulterw@coudert.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -
Attention:	William K. Coulter	Relationship:	Legal Counsel

(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)

3. Reference File Number SESSTA2005090601216 or Submission ID

4a. Is a fee submitted with this application?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).
- Governmental Entity Noncommercial educational licensee
- Other (please explain):

4b. Fee Classification CGB – Mobile Satellite Earth Stations

5. Type Request

- Use Prior to Grant Change Station Location Other

6. Requested Use Prior Date

7. City

8. Latitude
(dd mm ss.s h) 0 0 0.0

9. State	10. Longitude (dd mm ss.s h) 0 0 0.0
11. Please supply any need attachments. Attachment 1: Request Cover Letter Attachment 2: Exhibit A Attachment 3: Exhibit B	
12. Description. (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.) <div style="border: 1px solid black; padding: 5px; min-height: 100px;">NULL</div>	
13. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes. <input checked="" type="radio"/> Yes <input type="radio"/> No	
14. Name of Person Signing William K. Coulter	15. Title of Person Signing William K. Coulter
WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).	

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to jboley@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

EXHIBIT A

FOREIGN OWNERSHIP DISCLOSURE AND STATEMENT

FTMSC USA, LLC (“FTMSC”) submits the following information concerning its ten percent or greater direct and indirect shareholder or other equity holders. FTMSC is wholly owned by FCR Holdings, Inc., which is wholly owned by FT Participations Holding Inc. FT Participations Holding Inc. is 100% owned by France Telecom Participations U.S. Inc., which is wholly owned by Compagnie Générale des Communications (Cogecom), a French company. Cogecom is wholly owned by France Télécom S.A. (“France Telecom”). France Telecom is a publicly traded company on the New York Stock Exchange and the Paris Stock Exchange. The French State owns 19.85% of France Telecom, and a French Public Sector Institution called “ERAP” owns 15.02%. There are no other 10% or greater

<u>Name</u>	<u>Address</u>	<u>Citizenship</u>	<u>Principal Business</u>
<u>FCR Holdings Inc.</u>	c/o FTNA 1717 K Street, N.W., Suite 507 Washington, D.C. 20036-5333 Telephone: (202) 822-2100	U.S.	Holding Company
France Telecom Participations Holding Inc.	c/o FTNA 1717 K Street, N.W., Suite 507 Washington, D.C. 20036-5333 Telephone: (202) 822-2100	U.S.	Holding Company
France Telecom Participations U.S. Inc.	c/o FTNA 1717 K Street, N.W., Suite 507 Washington, DC 20036-5333 Telephone: (202) 822-2100	U.S.	Holding Company
Cogecom	6, place d’Alleray 75015 Paris France	French	Holding Company
France Telecom S.A.	6, place d’Alleray 75015 Paris France	French	Telecommunications

shareholders of France Telecom.

EMERGENCY REQUEST FOR STA
FTMSC US, LLC
SEPTEMBER 9, 2005

France is a member of the World Trade Organization (“WTO”). As such, FTMSC is qualified to be an FCC earth station licensee under the Commission rules.

EXHIBIT B

In support of FTMSC's request for authorization, the following information is submitted pursuant to Section 63.18 of the Commission's Rules:

- (a) The name, address and telephone number of the Applicant is:

FTMSC US, LLC
c/o France Telecom North America
1717 K Street, NW, Suite 507
Washington, D.C. 20036-5333
Tel. (202) 822-2100
Attn: Danielle Aguto

- (b) FTMSC is a limited liability corporation organized under the laws of Delaware.

- (c) Correspondence concerning this Application should be sent:

FTMSC US, LLC
c/o France Telecom North America
1717 K Street, N.W., Suite 507
Washington, D.C. 20036-5333
Telephone: (202) 822-2100
Attn: Danielle Aguto, General Counsel

with a copy to:

William K. Coulter, Partner
Coudert Brothers LLP
1627 I Street, N.W., Suite 1200
Washington, D.C. 20006
Telephone: (202) 775-5100

- (d) FTMSC does not currently hold any Section 214 authorizations.
(e) Pursuant to Section 63.18(e)(4) of the Commission's Rules, 47 C.F.R.

§ 63.18(e)(4), FTMSC requests authority to use Inmarsat space segment to provide

facilities-based MSS land mobile services to mobile earth terminals located throughout the United States.

(f) See response to paragraph (e) above.

(g) No new facilities will be constructed to provide the proposed services. As such, grant of this Application will not constitute a major action as defined in 47 C.F.R. § 1.1305. Accordingly, no environmental information is required to be submitted with this Application under Section 47 C.F.R. § 1.1311.

(h) FTMSC's ownership information is contained in Exhibit A.

(i) FTMSC certifies that it is affiliated with entities that may be considered foreign carriers. The Commission is aware of such affiliations through the licensing obligations of our U.S. affiliated common carrier, France Telecom Long Distance USA, LLC.

(j) FTMSC certifies that it seeks to provide Inmarsat MSS to/from destination countries where France Telecom may control foreign carriers, as already identified in the Commission's records. FTMSC will not provide services to Equatorial Guinea or Vanuatu.

(k) FTMSC is affiliated with carriers in several of the applied-for countries. Most of these countries are WTO members. For those countries where FTMSC is affiliated with a foreign carrier and that are not WTO members, FTMSC is affiliated with only non-dominant carriers.

(l) Because FTMSC is only seeking temporary special authority, it seeks a waiver of the dominant carrier classification requirement and associated quarterly filing requirements.

EMERGENCY REQUEST FOR STA
FTMSC US, LLC
SEPTEMBER 9, 2005

(m) *See* response to (l) above.

(n) FTMSC certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.

(o) FTMSC certifies that no party to this Application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

(p) Not applicable.