

**Policy Division**  
**Strategic International Bureau**

NOV - 8 2007

Date:

*Expire: May 6, 2008*

authorized by

*Chief, Policy Div. IB*

*James L. S. R. R.*

Signature  
STA Request, Response to 47 C.F.R.

Non-Streamlined ITC-STA-20070831-00354

IB2007002119

SkyPort Global Communications, Inc.

*Res: ITC-T/C-20070827-00347*

*ITC-T/C-20070929-00392*

*Conditions incorporated by reference from  
BTA's granted on November 8, 2007*

*File Nos: SES-STA-20070919-01296 & 01297*

47 C.F.R. §§ 63.18(d), (e)(3) and (g), and Public Interest  
Statement

By an application filed August 27, 2007 (ITC-T/C-20070827-00347), prior approval of the FCC was requested for the transfer of control of SkyPort Global Communications, Inc. ("SkyPort"), a global provider of managed, secure, broadband satellite and terrestrial communication services. SkyPort holds international Section 214 authorization ITC-214-19990211-00083 that provides SkyPort with Global Facilities-Based Authority.<sup>1</sup>

SkyPort is currently the wholly-owned subsidiary of SkyComm Technologies Corporation ("SkyComm"), and will remain so when the transfer of control is completed. SkyComm is currently a majority-owned subsidiary of Balaton Group Inc., a Canadian corporation ("Balaton").

Pursuant to a multi-phased transaction that is the subject of ITC-T/C-20070827-00347, SkyComm would become (a) a wholly-owned subsidiary of Lavell Systems, Inc. ("Lavell-USA"), a U.S. corporation, and (b) an indirect, majority-owned (78%) subsidiary of Lavell Systems Inc. ("Lavell-Canada"), a Canadian corporation formed for the purpose of acquiring, managing and integrating providers of satellite services. Lavell-Canada currently is owned 66 2/3% by Balaton and 33 1/3% by Patrick Brant, a U.S. citizen. Additional details, including pre- and post-transaction organizational charts, are provided in the August 27, 2007 application.

Subject to FCC approval of the transfer of control application referenced above, Lavell-Canada will be the subject of an initial public offering ("IPO") on the Toronto Stock Exchange whereby more than 50% of Lavell-Canada's Common Shares would be sold to the public. Upon closure of the IPO (currently scheduled for October), Balaton's ownership of Lavell-Canada likely will be reduced from 66 2/3% to less than 10%; Patrick Brant's ownership in Lavell-Canada will likely be reduced from 33 1/3% to less than 5%; and it is currently anticipated that no new post-IPO shareholder of Lavell-Canada will hold more than 10% ownership of the company. In the August 27, 2007, application, the parties pledged that within 30 days after the IPO is closed, SkyPort will submit to the Commission a list of those post-IPO shareholders who hold 10% or more of the shares of SkyPort's new ultimate parent corporation Lavell-Canada or of SkyPort's new intermediate parent corporation Lavell-USA. This information also will be provided to the Executive Branch Agencies with whom Balaton, SkyComm, and SkyPort have a letter commitment.<sup>2</sup>

<sup>1</sup> In response to 47 C.F.R. §63.18(d), SkyPort reports that its underlying Section 214 authorization ITC-214-19990211-00083 also was subject to transfer of control authorization ITC-T/C-20060407-00244.

<sup>2</sup> Simultaneous with the filing of the transfer of control application, the parties hereto commenced the process of contacting and making the necessary submissions to the Department of Justice, the Department of Homeland Security and the Federal Bureau of Investigation (collectively, the "Executive Agencies") to obtain any required clearance for the transfer of control described herein.

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## INTERNATIONAL BUREAU

### Policy Division

## FAX SHEET

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SPECIAL INSTRUCTIONS: STA/ SKY Port,

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