

Grant International Bureau
Policy Division

NOV - 8 2007

Date:

Expire: May 6, 2008
authorized by:

Chief, Policy Div. IB

James L. Rade
Signature

STA Request, Response to 47 C.I.R.

Non-Streamlined ITC-STA-20070831-00354

IB2007002119

SkyPort Global Communications, Inc.

Res: ITC-TC-20070827-00347

ITC-TC-20070929-00392

Conditions incorporated by Reference from
STAs granted on November 8, 2007
File Nos: SES-STA-20070919-01296 & 01297

§§ 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.¹

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.²

¹ 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.

² 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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Policy Division

FAX SHEET

Fax Number: (202) 418-2824

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DATE: 11/8/07

FROM: George I Si

TELEPHONE NUMBER: (202) 418-4602

TO: Robert Primrose / Timothy Conroy

FAX NUMBER: 202-983-5851

TELEPHONE NUMBER: 4141

SPECIAL INSTRUCTIONS: STA/ SkyPort

FLC STA: 207 0831-00354



Federal Communications Commission
Washington, D.C. 20554

International Bureau

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(202) 418-1462
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October 12, 2007
Ref: 2007-43

Hillary Morgan	(703) 607-6092	Steven W. Lett	(202) 647-5835
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Myla S. Trotter	(202) 324-1730	Sigal Mandelker	(202) 616-0573
Jonathan Frenkel	(202) 282-8478	Sally Shipman	(202) 456-6085
Dominic Pastore	(202) 514-5607		

Re: Skypport Global Communications Inc.

ITC-STA-20070831-00354, ITC-T/C-20070827-00347,
ITC-T/C-20070927-00392, SES-STA-20070919-01296
SES-STA-20070919-01297, SES-T/C-20070827-01130
SES-T/C-20070827-01131, SES-T/C-20070919-01298,
SES-T/C-20070919-01299, SES-T/C-20070920-01301,
SES-T/C-20070920-01302

Dear Sir or Madam:

Please review the following applications and advise us whether you have any national security, law enforcement, foreign policy or trade concerns regarding the requests for Special Temporary Authority (STA) by **C.O.B. October 24, 2007**, and the underlying applications by **C.O.B. October 31, 2007**, because we are prepared to take action on these applications. **Electronic filed (e-file) applications are able to be viewed by accessing www.fcc.gov/ibfs and searching by the file number.**

ITC-T/C-20070827-00347, ITC-T/C-20070927-00392, SES-T/C-20070827-01130
SES-T/C-20070827-01131, SES-T/C-20070919-01298, SES-T/C-20070919-01299,
SES-T/C-20070920-01301, SES-T/C-20070920-01302 (e-file)

Applications for consent to transfer the control of section 214 authorization, ITC-214-19990211-00083, fixed earth stations, E0000361 and E010295, and VSAT earth station, E0500044, held by SkypPort Global Communications, Inc., from Balaton Group Inc. to Lavell Systems, Inc., (Lavell-Canada) a **Canadian** corporation. Balaton will conduct an initial public offering (IPO) of Lavell-Canada on the Toronto Stock Exchange, under which more than 50% of the Lavell-Canada's Common Shares will be sold to the public. SkypPort will submit to the FCC and the Executive Branch Agencies a list of post-IPO shareholders who hold 10% or more of the shares of SkypPort's new ultimate parent

corporation Lavell-Canada or of SkyPort's new intermediate parent corporation Lavell-USA, within 30 days after the IPO is closed.

ITC-STA-20070831-00354, SES-STA-20070919-01296, SES-STA-20070919-01297 (e-file)

SkyPort Global Communications, Inc. requested a Special Temporary Authority to consummate the IPO before the grant of the underlying applications listed above. SkyPort holds an international section 214 authorization (ITC-214-19990211-00083), fixed earth stations (E000361 and E010295), and VSAT earth station (E050044). The parties pledge to submit the post-IPO ownership information to the FCC and the Executive Branch Agencies within 30 days of the closing of the IPO. Further, the applicants acknowledge that grant of STAs will not prejudice any action the Commission may take on the underlying applications and the STAs can be revoked by the Commission on its own motion without a hearing.

If we do not hear from you by **C.O.B. October 24, 2007**, we will assume that you do not have any concerns with the above requests for Special Temporary Authority, and if we do not hear from you by **C.O.B. October 31, 2007**, we will assume that you do not have any concerns with the underlying applications.

Sincerely,



George Li, Deputy Chief
Policy Division

George Li

From: George Li
Sent: Friday, October 12, 2007 11:14 AM
To: Karl Kensingler; Jeanette Spriggs
Cc: David Krech
Subject: FW: Cover Letter Reference 2007-43 (Comments due: October 24, 2007 and October 31, 2007)
Attachments: Executive Branch 2007-43.doc

From: Veronica Garcia-Ulloa
Sent: Friday, October 12, 2007 11:08 AM
To: 'paul.kozak@ic.fbi.gov'; 'dklein1@leo.gov'; 'edward.hand@usdoj.gov'; 'hillary.Morgan@disa.mil'; 'jarnold@ntia.doc.gov'; 'kschagrין@ustr.gov'; 'Brenner, Louis (DHS)'; 'Brian.williams@associates.dhs.gov'; 'Springsteen, Joseph'; 'vbarish@askalea.net'; 'maydc@state.gov'; 'letsw@state.gov'; 'Pontacoloni, Denise (DHS)'; 'alane.kochems@associates.HQ.DHS.GOV'; 'Stephen.heifetz@dhs.gov'; 'Underriner, Jennifer'; 'Christopher.Steffen@ic.fbi.gov'; 'Pifer, Jon (LEO)'; 'albert.pinto@hq.dhs.gov'; 'schipman@ostp.eop.gov'; 'Erica.Bomsey@dhs.gov'; 'Daman, Alex (DHS)'; 'Pinto, Greg (DHS)'; 'Daniels, Douglas'; 'Connors, John'; 'telecom@usdoj.gov'
Cc: George Li; Susan OConnell; David Krech; Joann Ekblad; Mikelle Morra; James Ball; Janeese Parker; Veronica Garcia-Ulloa; Sumita Mukhoy
Subject: Cover Letter Reference 2007-43 (Comments due: October 24, 2007 and October 31, 2007)

Good Afternoon,