

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Airbus DS Holdings SAS)	
Transferor)	
and)	ITC-T/C-20160119-00044
)	
Toruk AS)	SES-T/C-20160119-00063
Transferee)	
)	
)	
)	

**PETITION TO ADOPT CONDITIONS TO
AUTHORIZATIONS AND LICENSES**

The Department of Justice (“DOJ”) submits this Petition to Adopt Conditions to Authorizations and Licenses (“Petition”), pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.¹ Through this Petition, DOJ advises the Commission that DOJ, the Department of Defense (“DOD”), and the Department of Homeland Security (“DHS”)(collectively the “USG Agencies”) have no objection to the Commission approving the authority sought in the above-referenced proceedings, provided that the Commission conditions its approval on the assurance of Toruk AS (“Toruk”) and Marlink, Inc. (“Marlink”) to abide by the commitments and undertakings set forth in the May 24, 2016 National Security Agreement (“NSA”), which is attached hereto and incorporated into this Petition by reference. The above-referenced proceedings involve applications filed with the Commission under Sections 214 and 310(d) of the Communications Act of 1934, as amended (“Act”), seeking Commission consent for the transfer of control from Airbus DS Holdings SAS (ADH) to Toruk of Section 214 authority and satellite earth station authorization held by

¹ 47 C.F.R. § 1.41.

Marlink, Inc. (Marlink) (formerly known as Astrium Services Business Communications, Inc. (ASBCI)) (FCC File Nos. ITC-T/C-20160119-00044 and SES-T/C-20160119-00063, respectively).

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

After discussions with representatives of Toruk and Marlink in connection with the above-referenced proceedings, DOJ has concluded that the commitments set forth in the NSA will help ensure that the Executive Branch agencies with responsibility for enforcing the law, protecting the national security, and preserving public safety, can proceed appropriately to satisfy those responsibilities. Accordingly, the USG Agencies advise the Commission that they have no objection to the Commission granting the applications in the above-referenced proceedings, provided that the Commission conditions its consent on compliance by Toruk and Marlink with the NSA.

Respectfully submitted,

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