

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	File Nos. 25-SAT-P/LA-95
)	76-SAT-AMEND-95
Final Analysis Communication Services, Inc.)	79-SAT-AMEND-96
)	151-SAT-AMEND-96
Authorization to Construct, Launch and Operate)	7-SAT-AMEND-97
a Non-Voice, Non-Geostationary Mobile Satellite)	SAT-MOD-20020329-00245
System in the 148-150.5 MHz, 400.15-401 MHz,)	SAT-AMD-20030606-00112
and 137-138 MHz Bands)	Call Sign S2150

MEMORANDUM OPINION AND ORDER

Adopted: January 27, 2015

Released: January 28, 2015

By the Commission:

1. In this Memorandum Opinion and Order, we deny an Application for Review filed by Final Analysis Communication Services, Inc. (Final Analysis). Final Analysis seeks review of a decision by the International Bureau denying its request for waiver of the Commission rules requiring automatic termination of its space station license for failure to meet system implementation milestones.¹ Final Analysis's authorization for a non-voice, non-geostationary satellite (Little LEO) system was declared null and void for its failure to timely construct and launch its first two satellites.²

2. In its Application for Review, Final Analysis contends that extension of the milestone deadlines was justified by the September 2001 bankruptcy of its corporate parent and resulting need for approval of a new technical assistance agreement from the U.S. Department of State to engage in discussions with its Russian spacecraft manufacturer.³ Final Analysis also reiterates that it demonstrated intent to proceed with implementing its satellite system,⁴ that extending the milestones would not undermine Commission policies against warehousing spectrum resources,⁵ and that other public interest benefits support the extensions.⁶

3. The Bureau found that Final Analysis failed to implement its system for over three years before the bankruptcy of its parent company and failed to work on system implementation during and after the bankruptcy proceeding.⁷ The Bureau found that the bankruptcy of Final Analysis's parent

¹ Final Analysis Communication Services, Inc., *Memorandum Opinion and Order*, 19 FCC Rcd 4768 (Int'l Bur. 2004) (*Milestones Decision*).

² *Id.* at 4768 ¶ 1.

³ Application for Review at 11-18.

⁴ *Id.* at 5-10.

⁵ *Id.* at 19-20.

⁶ *Id.* at 20-22.

⁷ *Milestones Decision*, 19 FCC Rcd at 4772-83 ¶¶ 10-37.

company was not sufficient to justify a milestone extension.⁸ The Bureau also rejected the need to gain State Department approval as a justification for a milestone extension.⁹ The Bureau addressed other arguments made by Final Analysis and found that grant of a milestone waiver to Final Analysis would undermine Commission policies.¹⁰

4. Upon consideration of the Application for Review and the entire record, we find that Final Analysis has failed to establish that the Bureau erred. The Bureau's *Milestones Decision* properly decided the matters raised, and we affirm that decision for the reasons stated therein.

5. Accordingly, IT IS ORDERED that, pursuant to Section 5(c)(5) of the Communications Act of 1934, as amended, 47 U.S.C. § 155(c)(5), and Section 1.115(g) of the Commission's rules, 47 C.F.R. § 1.115(g), the Application for Review filed by Final Analysis Communication Services, Inc. IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

⁸ *Id.* at 4783 ¶¶ 36-37.

⁹ *Id.* at 4783-84 ¶¶ 38-40 (noting that the State Department approval at issue was required by the International Traffic in Arms Regulations (ITAR), 22 C.F.R. §§ 120-130, and that such approval was necessitated by Final Analysis's business decision to employ a Russian satellite construction firm).

¹⁰ *Id.* at 4784-87 ¶¶ 41-50.