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Federal Communications Commission Office of Secretary

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VIA HAND DELIVERY

Ms. Marlene Dortch Secretary Federal Communications Commission 445 Twelfth Street, S.W. Washington, DC 20554

RE:

Celsat America, Inc.

Request for Confidential Treatment

Dear Ms. Dortch:

On behalf of Celsat America, Inc. ("Celsat"), enclosed please find a Request for Confidential Treatment, which should be associated with the following Commission files:

2 GHz MSS License	Ka-band License	
File Nos. 26/27/28-DSS-P-94	File Nos. 192-SAT-AMEND-97	
36-SAT-AMEND-95 65/66/67- SAT-AMEND-96 192-SAT- AMEND- 97 88-SAT- AMEND-98	88-SAT-AMEND-98	
BFS Nos. SAT-A/O-19940408-00016/17/18 SAT-AMD-19941125-00089 SAT-AMD-19960124-00007/8/9 SAT-AMD-19970925-00124 SAT-AMD-19980113-00009 SAT-AMD-20001103-00153	IBFS Nos. SAT-AMD-19970925-00124 SAT-AMD-19980123-00009 SAT-AMD-20001103-00153	

Celsat hereby requests confidential treatment of Exhibit E, which contains payment plan and termination liability amounts. Exhibit E, which has been withheld from this public filing, has been submitted in its entirety to Alyssa Roberts of the Commission's staff under separate cover.

Ms. Marlene Dortch October 27, 2004 Page 2

Please contact the undersigned should you have any questions concerning the submission.

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Brian D. Weimer

Counsel to Celsat America, Inc.

Enclosure

cc: Alyssa Roberts (w/ confidential enclosure)

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

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S-band License of CELSAT AMERICA, INC.)	File Nos. 26/27/28-DSS-P-94 36-SAT-AMEND-95 65/66/67- SAT-AMEND-9 192-SAT- AMEND- 97	Federal Communications Commission Office of Secretary
)	88-SAT- AMEND-98	
	į	IBFS Nos.	
	3	SAT-A/O-19940408-00016/1 SAT-AMD-19941125-00089	
	5	SAT-AMD-19960124-000	
	í	SAT-AMD-19970925-00	
)	SAT-AMD-19980113-000	09
)	SAT-AMD-20001103-001	53
Ka-band License of)	File Nos.	
CELSAT AMERICA, INC.)	192-SAT-AMEND-97	
)	88-SAT-AMEND-98	
)		
)	IBFS Nos.	
)	SAT-AMD-19970925-001	
)	SAT-AMD-19980123-000	
)	SAT-AMD-20001103-001	53

REQUEST FOR CONFIDENTIAL TREATMENT

Pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§

0.457 and 0.459, Celsat America, Inc. ("Celsat") respectfully requests that the Commission withhold from public inspection and accord confidential treatment to the attached Exhibit E,

Payment Plan and Termination Liability Amounts, dated July 15, 2004 ("Exhibit E") to

Amendment Number 1, dated July 12, 2004, to the Contract between Celsat and Space

Systems/Loral, Inc. ("Loral") dated July 14, 2002 (the "Contract Amendment"). Celsat is submitting these materials in response to an inquiry from Federal Communications Commission staff on October 18, 2004 ("Staff Inquiry"). This material supplements Celsat's August 11, 2004 submission of the Contract Amendment.

Pursuant to Section 0.459(b) of the Commission's rules, Celsat hereby states as

follows:

1. Identification of Specific Information for Which Confidential Treatment Is Sought (Section 0.459(b)(1))

Celsat seeks confidential treatment of the entire Exhibit E (collectively, the "Confidential Information").

2. Circumstances Giving Rise to the Submission (Section 0.459(b)(2))

Celsat is submitting these materials in response to the aforementioned Staff Inquiry.

3. Explanation of the Degree to Which the Information Is Commercial or Financial, or Contains a Trade Secret or Is Privileged (Section 0.459(b)(3))

The Confidential Information is sensitive commercial and financial information, including payment terms and other commercial arrangements that are not routinely made available for public inspection. See 47 C.F.R. § 0.457(d).

 Explanation of the Degree to Which the Information Concerns a Service that Is Subject to Competition (Section 0.459(b)(4))

Celsat, along with many other applicants, received a license to provide 2 GHz mobile satellite service ("MSS") in July 2001. In addition to competition from the other 2 GHz MSS licensees, Celsat also faces competition from other MSS providers in other frequency bands (e.g., Big LEO, L-band) as well as from terrestrial wireless service providers.

5. Explanation of How Disclosure of the Information Could Result in Substantial Competitive Harm (Section 0.459(b)(5))

Disclosure of the Confidential Information could result in substantial competitive harm to Celsat because its competitors could seek to use the Confidential Information to undermine Celsat's business plan.

6. Identification of Any Measures Taken to Prevent Unauthorized Disclosure (Section 0.459(b)(6))

The Confidential Information is propriety and confidential to Celsat and Loral and is subject to a binding non-disclosure provision.

 Identification of Whether the Information Is Available to the Public and the Extent of Any Previous Disclosure of the Information to Third Parties (Section 0.459(b)(7))

The Confidential Information is not available to the public and has not been disclosed to the public.

8. Justification of the Period During Which the Submitting Party Asserts that Material Should Not Be Available for Public Disclosure (Section 0.459(b)(8))

Celsat requests that the Confidential Information remain confidential permanently because no third party will have a valid need to review the Confidential Information and dissemination of the Confidential Information – irrespective of when it occurs – could cause substantial harm to both Celsat and Loral.

Other Information that May Be Useful in Assessing Whether the Request for Confidentiality Should Be Granted (Section 0.459(b)(9))

Celsat is pleased to submit the Confidential Information in response to the Staff Inquiry in order to demonstrate Celsat's compliance with the milestones contained in its 2 GHz MSS License and Ka-band License. Given that Celsat otherwise would not submit the Confidential Information (including sensitive commercial and financial information) to the Commission, Celsat requests that the Commission afford confidential treatment to the Confidential Information on a permanent basis.

Respectfully submitted,

Brian D. Weimer / Mor

SKADDEN, ARPS, SLATE, MEAGHER &

FLOM LLP

1440 New York Avenue, N.W.

Washington, DC 20005

202-371-7000

Counsel for Celsat America, Inc.

Dated: October 27, 2004

CERTIFICATE OF SERVICE

I, Malcolm Tuesley, do hereby certify that I caused the foregoing Request for Confidential Treatment of Celsat America, Inc. to be served on the party listed below by hand delivery on this 27th day of October, 2004.

Served with Confidential Exhibit

Alyssa Roberts Satellite Division Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554

Malcolm Tuesley