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September 28, 2009

Via ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
12th Street S.W.
Washington, D.C. 20554

Re: Motion for Stay and Petition for Reconsideration filed by AtContact Communications, LLC of International Bureau Order DA 09-1850, Call Signs S2346, S2680, S2681, S2682, and S2683

Dear Ms. Dortch,

On September 25, 2009, the undersigned counsel for AtContact Communications, LLC (“AtContact”) had a telephone conversation with Roderick Porter, Acting Chief of the International Bureau, regarding AtContact’s recently filed Motion for Stay and Petition for Reconsideration of the International Bureau’s *Order* nullifying AtContact’s satellite space station licenses.

On that call, I summarized the contents of the ex parte letter AtContact submitted on the same day to the Commission. In particular, I emphasized that irreparable injury is of paramount importance when the Commission evaluates a stay request. *See Comark Cable Fund III*, 104 FCC 2d 451, 456 ¶ 9 (1986) (while a movant's argument “ha[d] little chance of success on appeal and that granting their motion, as filed, would harm both other interested parties and the public interest . . . it [was] possible that Defendants might suffer irreparable injury if divestiture were completed before the unlikely event that they were successful at the Court of Appeals.”); *Dynamic Cablevision of Florida, Ltd.*, 10 FCC Rcd. 5156, 5156 ¶ 4 (1995) (“resolution of this particular stay rests mainly on the strength of Dynamic’s argument concerning the second prong [irreparable harm] of this test.”).

In AtContact’s case, the irreparable injury portended for AtContact itself and AtContact’s current and future customers if the Motion for Stay is not granted is severe: AtContact’s current service to Alaska and other areas would be directly threatened; its two requests for stimulus funds for next-generation

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satellite broadband service would be frustrated, and so would a private equity commitment of many tens of millions of dollars that is premised on the receipt of stimulus funds. Equally important, this is not offset by any injury on the other side of the ledger – the Treasury Department’s claim will be secured and AtContact will not stand in anyone’s way from obtaining a license.

Pursuant to 47 C.F.R. § 1.1206(b), this notice is being filed electronically with a copy emailed to Mr. Porter.

Respectfully submitted,

/s/

Pantelis Michalopoulos
*Counsel for AtContact Communications,
LLC*