

S2747

SAT-AMD-20110728-00140

IB2011003718

ViaSat, Inc.  
VIASAT-1

Date & Time Filed: Jul 28 2011 5:53:30:743PM  
File Number: SAT-AMD-20110728-00140



File # SAT-AMD-20110728-00140  
Call Sign S2747 Grant Date 10/14/11  
(or other identifier) see Term Dates see conditions  
From conditions To: conditions

Approved: Stephen J. Duall  
Stephen J. Duall  
Chief, Satellite Policy Branch

Approved by OMB  
3060-0678

See also

SAT-LOA-20110722-00132

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD - MAIN FORM FCC Use Only  
FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:  
Amendment of ViaSat-1 TT&C License Application

1-8. Legal Name of Applicant

<b>Name:</b>	ViaSat, Inc.	<b>Phone Number:</b>	760-476-2583
<b>DBA Name:</b>		<b>Fax Number:</b>	760-929-3941
<b>Street:</b>	6155 El Camino Real	<b>E-Mail:</b>	daryl.hunter@viasat.com
<b>City:</b>	Carlsbad	<b>State:</b>	CA
<b>Country:</b>	USA	<b>Zipcode:</b>	92009
<b>Attention:</b>	Mr Daryl T Hunter		

Conditions of Authorization  
ViaSat, Inc.  
File Nos. SAT-LOA-20110722-00132 and  
SAT-AMD-20110728-00140  
Call Sign: S2747  
October 14, 2011

The request of ViaSat, Inc. (ViaSat) for construction, launch and operating authority for the ViaSat-1 space station, IBFS File Nos. SAT-LOA-20110722-00132 and SAT-AMD-20110728-00140, is GRANTED.<sup>1</sup> Accordingly, ViaSat is authorized to construct, launch, and operate its geostationary satellite orbit (GSO) space station, ViaSat-1, Call Sign S2747, to provide Fixed-Satellite Service (FSS) at the 115.1° W.L. orbital location. ViaSat is authorized to operate using the 28.10-29.1 GHz and 29.5-30.0 GHz frequency bands (Earth-to-space), and the 18.3-19.3 GHz and 19.7-20.2 GHz frequency bands (space-to-Earth). Operations shall be in accordance with the technical specifications set forth in ViaSat's applications, the Federal Communication Commission's Rules, and the conditions of this Attachment:

1. ViaSat is authorized to operate the ViaSat-1 telecommand receiver using one megahertz of bandwidth at each of the following uplink center frequencies: 29500.5 MHz and 29503.0 MHz (right-hand or left-hand circular polarization); the telemetry transmitter using one megahertz of bandwidth at each of the downlink center frequencies 19701.0 MHz (left-hand circular polarization) and 19703.0 MHz (right-hand circular polarization); the autotrack beacon using one kilohertz of bandwidth at the uplink center frequency 29999.0 MHz (right-hand or left-hand circular polarization); and downlink beacon using one kilohertz of bandwidth at the downlink frequency 20199.0 MHz (right-hand circular polarization).

2. ViaSat's use of the 28.10-28.35 GHz frequency band (Earth-to-space) in the United States is on a secondary basis for gateway earth station operations only. This band is designated on a primary basis to the Local Multipoint Distribution Service (LMDS). See Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency Band, to Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services, *Third Report and Order*, FCC 97-378, 12 FCC Rcd 22310 (1997). Accordingly, ViaSat's operations must be on an unprotected, non-harmful interference basis relative to LMDS, in accordance with 47 C.F.R. § 2.105(c)(2). ViaSat shall not cause harmful interference to, nor claim protection from, authorized LMDS stations in the 28.10-28.35 GHz frequency band that are presently assigned, or that may be assigned these frequencies in the future. Further, ViaSat must terminate operations immediately upon notification of such interference. In addition, ViaSat may not claim protection from interference from LMDS stations authorized to operate in this band.

3. ViaSat shall maintain the ViaSat-1 space station with an east/west longitudinal station-keeping tolerance of  $\pm 0.05$  degrees.

4. Pursuant to 47 C.F.R. § 25.145(g), operations of the ViaSat-1 space station in the 18.3-18.8 GHz frequency band (space-to-Earth) are not entitled to protection from co-primary terrestrial services until the period during which the terrestrial Fixed Service stations remain co-primary has expired.

5. We grant ViaSat a waiver of Footnote NG165 to Section 2.106 of the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, to permit ViaSat to operate ViaSat-1 in the 18.8-19.3 GHz (space-to-Earth) frequency band on a non-conforming basis. In the United States, the 18.8-19.3 GHz frequency band is designated for non-Federal, non-geostationary satellite orbit (NGSO) FSS operations on a primary basis, with no designation for non-Federal GSO FSS operations, and is allocated to Federal

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<sup>1</sup> ViaSat's application was placed on Public Notice on August 5, 2011. See Policy Branch Information, Public Notice, Report No. SAT-00798 (Aug. 5, 2011). No comments were filed in response to the notice.

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File Nos. SAT-LOA-20110722-00132 and  
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GSO and NGSO FSS operations on a primary basis. As a non-conforming user, ViaSat must accept any interference from any non-Federal NGSO FSS system, any Federal GSO FSS or NGSO FSS system, or any grandfathered co-primary fixed service stations authorized to use the 18.8-19.3 GHz frequency band. In addition, ViaSat shall not cause harmful interference to any authorized non-Federal NGSO FSS system, any authorized Federal GSO FSS or NGSO FSS system, or any grandfathered co-primary fixed service stations, and shall immediately cease operations upon notification of such harmful interference resulting from its operations.

6. We grant ViaSat a waiver of Section 25.210(i) of the Commission's rules. Section 25.210(i) requires space station antennas in the FSS to be designed to meet a cross-polarization isolation of 30 dB within the primary coverage area of the antenna.<sup>2</sup> We grant this waiver with the condition that ViaSat-1's operations must accommodate future satellite networks serving the United States that are two-degree compliant. Further, ViaSat shall accept any interference to its non-compliant operations caused by space stations that comply with Section 25.210(i). *See* Star One S.A.- Petition for Declaratory Ruling to Add the Star One C1 Satellite at 65° W.L. to the Permitted Space Station List, *Order*, 19 FCC Rcd 16334 (Sat. Div. 2004) (finding that the impact on neighboring satellite systems of a 3-5 dB difference from the required cross polarization isolation ratio would be negligible).

7. The operations of ViaSat-1 shall not cause harmful interference to any Federal or non-Federal station authorized to operate on a primary basis in the 28.6-29.1 GHz frequency band, must accept any interference from these systems, and must terminate operations immediately upon notification of harmful interference.

8. ViaSat has completed coordination for the ViaSat-1 space station, including Federal operations to earth stations in foreign countries, in accordance with footnote US334 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106. In addition to meeting the terms of the coordination agreement, the non-conforming ViaSat-1 GSO operations in the 18.8-19.3 GHz frequency band, shall not cause harmful interference to, nor claim protection from, present and future Federal, non-Federal, GSO and NGSO systems.

9. The power flux-density (pfd) at the Earth's surface produced by the emissions from the ViaSat-1 space station for all atmospheric conditions, and for all methods of modulation in the 18.3-19.3 GHz and 19.7-20.2 GHz frequency bands (space-to-Earth) must not exceed -122.1 dBW/m<sup>2</sup>/MHz at any angle of arrival. Based on ViaSat operating at pfd value of -122.1 dBW/m<sup>2</sup>/MHz, the pfd limits contained in 47 C.F.R. §§ 25.138(a)(6), 25.208(c),(d),(e), and ITU Article 21.16 will also be met.<sup>3</sup>

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<sup>2</sup> 47 C.F.R. § 25.210(i).

<sup>3</sup> Section 25.208(d) requires that the pfd across the 200 megahertz of the 18.6-18.8 GHz band not exceed -95 dBW/m<sup>2</sup>. ViaSat proposes to operate at -122 dBW/m<sup>2</sup>/MHz, which is below the -118 dBW/m<sup>2</sup>/MHz pfd limit specified in 47 C.F.R. § 25.138(a)(6). This -118 dBW/m<sup>2</sup>/MHz pfd limit corresponds to a maximum pfd limit of -95 dBW/m<sup>2</sup>/200 MHz. Consequently, ViaSat's operations at -122.1 dBW/m<sup>2</sup>/MHz meet the pfd limits in Section 25.208(d). We note that the pfd limits in Footnote US255 to the Table of Frequency Allocations, 47 C.F.R. § 2.106, correspond with the pfd limits in Section 25.208(d). Therefore, ViaSat's operations at -122.1 dBW/m<sup>2</sup>/MHz also satisfy the limits in Footnote US255.

Conditions of Authorization  
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10. The ViaSat-1 space station must be constructed, launched, and placed into operation in accordance with the technical parameters of its application and the Commission's rules, Section 25.164. The Commission has previously determined that ViaSat met the first three milestones for the ViaSat-1 space station. Policy Branch Information, *Public Notice*, DA 10-1715, 25 FCC Rcd 12797 (Sept. 10, 2010). Accordingly, ViaSat must launch and operate the space station by August 18, 2014. Failure to meet this date renders this grant null and void


11. Within 30 days of the grant of this authorization, ViaSat must either: 1) file a bond with the Commission in the amount of \$750,000 pursuant to the procedures set forth in Section 25.165 of the Commission's rules; or 2) file a statement from the International Fidelity Insurance Company that it will be bound for this license under the bond previously submitted for ViaSat1, bond number 0500433; or 3) submit a certification that ViaSat has completed the launch and operation milestone for ViaSat-1. Failure to meet one of these conditions renders this grant null and void.

12. ViaSat shall prepare the necessary information as may be required, for submission to the International Telecommunication Union (ITU) to initiate and complete the advance publication, international coordination, due diligence, and notification process of this space station, in accordance with ITU Radio Regulations. ViaSat shall be held responsible for all cost recovery fees associated with these ITU filings. We also note that no protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination and notification procedures are timely completed or, with respect to individual administrations, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments of other administrations. See 47 C.F.R. § 25.111(b).

13. The license term for the ViaSat-1 space station, Call Sign S2747, is 15 years and will be begin to run on the date that ViaSat certifies to the Commission that the satellite has been successfully placed into orbit and its operation fully conforms to the terms and conditions of this authorization. ViaSat is directed to file this certification within 5 business days of the space station commencing operations at the regularly assigned orbital location.

14. ViaSat is afforded 30 days from the date of the release of this grant and authorization to decline it, as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization, as conditioned.

15. This authorization is issued pursuant to Sections 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for Reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106 and 1.115, may be filed within 30 days of the public notice indicating this action was taken.

 <b>GRANTED*</b> International Bureau 3 *with conditions	File #	SAT-LOA-20110722-00132 SAT-AMD-20110728-00140
	Call Sign	S2747
	(or other identifier)	
	From	see conditions
	To:	see conditions
Approved:	Stephen J. Duall Stephen J. Duall Chief, Satellite Policy Branch	

9-16. Name of Contact Representative

**Name:** John P. Janka **Phone Number:** 202-637-2200  
**Company:** Latham & Watkins LLP **Fax Number:** 202-637-2201  
**Street:** 555 Eleventh Street, NW **E-Mail:** john.janka@lw.com  
Suite 1000  
**City:** Washington **State:** DC  
**Country:** USA **Zipcode:** 20004-  
**Attention:** Mr John P Janka **Relationship:** Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- a1. Earth Station
- a2. Space Station

- (N/A) b1. Application for License of New Station
- (N/A) b2. Application for Registration of New Domestic Receive-Only Station
- b3. Amendment to a Pending Application
- b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- (N/A) b10. Other (Please specify)
- (N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States
- (N/A) b12. Application for Database Entry
- b13. Amendment to a Pending Database Entry Application
- b14. Modification of Database Entry

<p>17c. Is a fee submitted with this application?  <input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).  <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee  <input type="radio"/> Other (please explain):</p>	
<p>17d.            Fee Classification CWY – Space Station Amendment (Geostationary)</p>	
<p>18. If this filing is in reference to an existing station, enter:            (a) Call sign of station:</p>	<p>19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number:            (a) Date pending application was filed: 07/22/2011            (b) File number: SATLOA2011072200132</p>

**TYPE OF SERVICE**

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:

- a. Fixed Satellite
- b. Mobile Satellite
- c. Radiodetermination Satellite
- d. Earth Exploration Satellite
- e. Direct to Home Fixed Satellite
- f. Digital Audio Radio Service
- g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

- Common Carrier
- Non-Common Carrier

22. If earth station applicant, check all that apply.

- Using U.S. licensed satellites
- Using Non-U.S. licensed satellites

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

- Connected to a Public Switched Network
- Not connected to a Public Switched Network

24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).

- a. C-Band (4/6 GHz)
- b. Ku-Band (12/14 GHz)

c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: 19700      Frequency Upper: 30000      (Please specify additional frequencies in an attachment)

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- a. Fixed Earth Station
- b. Temporary-Fixed Earth Station
- c. 12/14 GHz VSAT Network
- d. Mobile Earth Station
- e. Geostationary Space Station
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY:

- Transmit/Receive
- Transmit-Only
- Receive-Only
- N/A

"For Space Station applications, select N/A."



PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- a --- authorization to add new emission designator and related service
- b --- authorization to change emission designator and related service
- c --- authorization to increase EIRP and EIRP density
- d --- authorization to replace antenna
- e --- authorization to add antenna
- f --- authorization to relocate fixed station
- g --- authorization to change frequency(ies)
- h --- authorization to add frequency
- i --- authorization to add Points of Communication (satellites & countries)
- j --- authorization to change Points of Communication (satellites & countries)
- k --- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- l --- authorization to change orbit location
- m --- authorization to perform fleet management
- n --- authorization to extend milestones
- o --- Other (Please specify)

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

Yes  No

TCR GXT File

ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30–34.

29. Is the applicant a foreign government or the representative of any foreign government?

Yes  No

30. Is the applicant an alien or the representative of an alien?

Yes  No  N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

Yes  No  N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

Yes  No  N/A

<p>33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p> <p>TCL GXT File</p>
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**BASIC QUALIFICATIONS**

<p>35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>TMR GXT File</p>
<p>36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>TML GXT File</p>

<p>37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p style="text-align: center;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No              BNR GXT File         </p>
<p>38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances</p>	<p style="text-align: center;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No              BNL GXT File         </p>
<p>39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.</p>	<p style="text-align: center;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No              BCNR GXT File         </p>
<p>40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.</p> <p style="text-align: right;">Consolidated GXTs</p>	

<p>41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of &amp;quot;party to the application&amp;quot;; for these purposes.</p>	<p style="text-align: right;">Yes <input checked="" type="radio"/> No <input type="radio"/></p>
<p>42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.</p>	<p style="text-align: right;">Yes <input type="radio"/> No <input checked="" type="radio"/></p>
<p>42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?</p>	
<p>43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>This amendment withdraws the Schedule S filed with IBFS File No. SAT-LOA-20110722-00132 and incorporates by reference the Schedule S filed in IBFS File No. SAT-AMD-20080623-00131, and provides certain additional and revised technical information related to that Schedule S. See Attachment 1 for additional information.</p> </div> <p>Amended Exhibit E</p>	

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

Attachment 1

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify)

45. Name of Person Signing  
Daryl T. Hunter

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46. Title of Person Signing  
Director, Regulatory Affairs

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT  
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION  
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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