

# Morgan Lewis

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April 9, 2018

**Via IBFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: Notice of Ex Parte Communication - IBFS File Nos. SAT-AMD-20172106-00167, SAT-AMD-20172106-00168; Call Signs S2966 & S2977**

Dear Ms. Dortch:



On April 5, 2018, Chris Amar from SOM1101, LLC (SOM1101), accompanied by Ronald Del Sesto and Timothy Bransford of Morgan, Lewis & Bockius LLP, met with Federal Communications Commission (Commission) International Bureau (IB) staff to discuss Boeing's pending amendments to substitute SOM1101 as the applicant for the above-referenced satellite system applications. A full list of attendees at the meeting is attached to this filing.

During the meeting SOM1101 discussed the important public interest benefits of the substitution, including the longstanding and well-documented commitment of senior SOM1101 management to bridging the digital divide to underserved and unserved populations and regions both inside the United States and internationally. In addition, SOM1101 discussed its unique philosophy with respect to the design, construction and launch of complex non-geostationary satellite (NGSO) networks, the unprecedented track record of senior management in bringing such systems to use over the last decade, and why SOM1101 represents a strong substitute candidate for Boeing with a distinct yet executable vision for satellite communications.

The participants reaffirmed that no party involved with SOM1101 enjoys de jure or de facto control of another applicant in any active fixed satellite service (FSS) processing round before the Commission. Arguments by petitioners opposed to the substitution that principals in SOM1101 have a controlling interest in another applicant by way of being an "affiliate" under Section 25.159(b) of the Commission's Rules are strained and unsupported. The participants also reaffirmed that the substitution is not a major or substantial amendment under Section 25.116 of the Commission's Rules. Nevertheless, the participants explained that even if this were considered such an amendment, the public interest benefits of the substitution provide ample justification for a waiver of either rule.

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Finally, SOM1101 clarified that grant of the substitution will not complicate frequency coordination or frequency sharing. SOM1101 recognizes that regardless of whether the Commission implements band-splitting as a spectrum sharing mechanism, the SOM1101 network will be designed for global operations under the International Telecommunications Union framework and engineered so as to not interfere with prior systems given its own unique and innovative system architecture. SOM1101 can develop such innovative capabilities because it has the benefit of the knowledge of prior systems.

To the extent you have questions or concerns, please feel free to contact the undersigned.

Very truly yours,

/s/

Timothy Bransford

*Counsel for SOM1101, LLC*

cc (via email): See Attachment

# ATTACHMENT

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## **April 5, 2018 Meeting with the International Bureau**

### **FCC Attendees**

Troy Tanner  
Jose Albuquerque  
Karl Kensinger  
Stephen Duall  
Kerry Murray  
Merissa Velez

### **SOM1101 Attendees**

Chris Amar  
Ronald Del Sesto  
Tim Bransford

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