

ATTACHMENT TO AMENDMENT APPLICATION

Question 35 – Waivers: See the attached Technical Narrative

Question 36 – Adverse Actions Concerning FCC Licenses: New Spectrum Satellite, Ltd's affiliate, Virtual Geosatellite, Inc. (formerly Virtual Geosatellite, LLC) itself had an affiliate relationship with Mobile Communications Holdings, Inc. ("MCHI"). In 1997, MCHI was licensed in to operate Ellipso, a 1.6/2.4 GHz Mobile-Satellite Service ("MSS") System. *See Mobile Communications Holdings, Inc.*, 12 FCC Rcd 9663 (1997). As a result of the adverse impact on the market for MSS due to the Iridium bankruptcy, MCHI failed to satisfy an implementation milestone and the International Bureau declared this authorization null and void. *See Mobile Communications Holdings, Inc.*, 16 FCC Rcd 11766 (IB 2001), *recon. denied*, Memorandum Opinion and Order, 17 FCC Rcd 11898 (Int'l. Bur. 2002), *rev. denied*, Memorandum Opinion and Order, 18 FCC Rcd 11659 (2003).

In 2001, MCHI was also licensed to operate "Ellipso 2G," a 2 GHz MSS system. *See Mobile Communications Holdings, Inc.*, 16 FCC Rcd 13794 (Int'l. Bur/OET 2001). In 2003, the International Bureau likewise declared MCHI's Ellipso 2G authorization null and void on the ground that the licensee had failed to satisfy an implementation milestone included in its authorization. *Applications of Mobile Communications Holdings, Inc. and ICO Global Communications (Holdings) Limited for Transfer of Control, Constellation Communications Holdings, Inc. and ICO Global Communications (Holdings) Limited for Transfer of Control, Mobile Communications Holdings, Inc. for Modification of 2 GHz License, Constellation Communications Holdings, Inc. for Modification of 2 GHz License*, Memorandum Opinion and Order, 18 FCC Rcd 1094 (Int'l. Bur. 2003), *rev. denied sub nom. Joint Application for Review of Constellation Communications Holdings, Inc., Mobile Communications Holdings, Inc. and ICO Global Communications (Holdings) Limited*, Memorandum Opinion and Order, 19 FCC Rcd 11631 (2004).

Question 40 – Ownership Information: New Spectrum Satellite, the flier, is wholly owned by Virtual Geosatellite, Inc. a Delaware corporation. Virtual Geosatellite, Inc.'s owners and/or voting of 10% or more of its stock are: David Castiel 34.98% Global Spectrum Investment Partners, LLC 29.53% John W. Brosius III 20.11% All above are US citizens. The owners of GSIP are all US citizens, and all are at: 2101 L Street, NW Suite 300 Washington DC 20037

Question 43 – Summary Description: New Spectrum Satellite, Ltd. is amending its application to adjust frequency utilization, optimization and compliance with newly established rules and ITU Article 222. In addition, the design of the system is being updated to reflect advances in technology.