

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C.

In the Matter of)
)
 AMERICAN MOBILE SATELLITE CORPORATION) File No. 13-DSS-AL-91(3)
)
 Application for pro forma assignment)
 of license)

Order and Authorization

Adopted: March 22, 1991 Released: March 22, 1991

By the Chief, Domestic Facilities Division:

1. American Mobile Satellite Corporation (AMSC) has filed an application for the pro forma assignment of its authorizations to construct, launch and operate a mobile satellite system¹ from AMSC to AMSC Subsidiary Corporation (Subsidiary). For the reasons discussed below, the applications are granted.

2. AMSC states that AMSC Subsidiary is to be a newly-formed, wholly-owned subsidiary of AMSC. AMSC is to hold 100% of the stock of AMSC Subsidiary. In addition, AMSC Subsidiary's officers are to be identical to the officers of AMSC and each of AMSC Subsidiary's directors also serves as a director of AMSC. AMSC submits that grant of this application will facilitate the construction, launch and operation of the authorized facilities.

3. Because ultimate control of the satellite system will remain with AMSC, Commission approval may be granted on a pro forma basis and does not require a thirty-day notice period as specified in Sections 309(b) and (d)(1) of the Communications Act, 47 U.S.C. §§ 309(b) and (d)(1). AMSC's qualifications to construct, launch and operate a mobile satellite system are a matter of record before the Commission. Consequently, AMSC Subsidiary is similarly found to be legally, technically, financially and otherwise qualified to be a licensee in the Mobile Satellite Service.

4. We note that the United States Court of Appeals has issued a decision in this proceeding that requires us to reconsider our licensing decisions. Aeronautical Radio Inc. v. FCC, No. 88-1009, slip op. (D.C. Cir. March 19, 1991). However, we see no possibility that our action here will prejudice the outcome of that proceeding or would be inconsistent with our obligations on remand.

¹ American Mobile Satellite Corporation, 4 FCC Rcd 6041 (1989).

5. Accordingly, IT IS ORDERED that, pursuant to Section 0.291 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.291, American Mobile Satellite Corporation's application for consent to assignment of its authorizations for a mobile satellite system IS GRANTED. All existing terms and conditions applicable to these authorizations shall remain in full force and effect.

6. IT IS FURTHER ORDERED that this order is effective upon adoption.

FEDERAL COMMUNICATIONS COMMISSION



Gerald P. Vaughan
Deputy Chief (Operations)
Common Carrier Bureau