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April 12, 2016

Accepted/Files

APR 12 2016

Federal Communications Commission
Office of the Secretary

VIA HAND DELIVERY

Marlene S. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Attn: International Bureau

Re: Refund of Performance Bond Proceeds
Bond Number: 105169931
File Nos SAT-LOA-2006412-00044;
SAT-LOA-20080114-00023 (Call Sign 2700)
SAT-ASG-20090921-00098

Dear Ms. Dortch:

I am writing on behalf of 115 License Subsidiary, LLC (“115 License Sub”) regarding the refund of its above-referenced performance bond and its associated Application for Review filed with the Commission on April 29, 2015.¹

As the Commission is aware, 115 License Sub posted a bond of \$3 million with respect to its above-referenced satellite authorization, which it has since surrendered. That bond was paid in full to the United States Treasury on June 24, 2015.

Subsequently, in its Second Report and Order in IB Docket No. 12-267, the Commission directed the International Bureau to waive the performance milestones for which 115 License Sub, EchoStar Satellite Operating Corporation (“EchoStar”) and Hughes Network Systems, LLC (“Hughes”) had made interim milestone showings,² and to “reduce the [relevant] bond amount when and to the extent warranted.”³ 115 License Sub made interim milestone showings for its

¹ Application for Review of 115 License Subsidiary, LLC, File Nos. SAT-LOS-2006412-00044 (filed April 29, 2015), *errata* (April 30, 2015).

² *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Second Report and Order, 30 FCC Rcd 14713, 14746 and n. 229 (2015).

³ *Id.* at 14747.

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first two milestones (contract and critical design review). Thus, pursuant to the Report and Order, 115 License Sub is to be granted a waiver of those milestones along with a proportional refund of its performance bond, *i.e.*, \$1.5 million.

On March 15, 2016, the Bureau issued an Order waiving the relevant milestones for EchoStar and Hughes and directing a proportional reduction of their respective performance bonds.⁴ To date, however, the Bureau has not issued such an Order for 115 License Sub. By this letter, 115 License Sub wishes to confirm that it will withdraw its Application for Review *if* the Bureau issues an Order unconditionally waiving its first two milestones and directing a proportional refund of its performance bond, *i.e.*, \$1.5 million.

Thank you for your prompt attention to this matter. Please contact the undersigned if you have any questions.

Very truly yours,



Robert D. Primosch

Counsel for 115 License Subsidiary, LLC

cc: Kerry Murray

⁴ *EchoStar Satellite Operating Corporation and Hughes Network Systems, LLC*, Order, DA 16-278 (IB, rel. Mar. 16, 2016).