



Federal Communications Commission
Washington, D.C. 20554

International Bureau
Satellite Division

October 23, 2003

VIA FACSIMILE AND US MAIL

Mr. Robert D. Horvath, Jr.
Vice President and General Counsel
Astrolink International, LLC
6701 Democracy Blvd
Suite 300
Bethesda, MD 20817

Re: Request for additional information -
Astrolink International LLC
File Nos. 182-186 SAT-P/LA-95 and
SAT-MOD-19971222-00200
Call Sign: S2193

Dear Mr. Horvath:

This letter requests additional information concerning Astrolink's compliance with its Ka-band system implementation milestones. On July 2, 2003, the Satellite Division asked for information concerning the milestone obligations set forth in the Ka-band license granted to Astrolink International, LLC ("Astrolink"). Specifically, we requested a copy of an executed contract verifying that Astrolink has commenced construction of its satellites, and that the satellites will be built within the time frame specified in the license. Astrolink's initial authorization required it to commence construction of its first satellite by January 2002, and its remaining satellites by January 2003. In reviewing Astrolink's first milestone to commence construction of its first satellite the Satellite Division determined that although Astrolink did not have a contract, it had demonstrated sufficient progress to warrant a waiver. The waiver of this initial milestone was conditioned on Astrolink entering into a non-contingent contract for its first satellite by January 2003, the same date Astrolink was required to enter into a non-contingent contract for its remaining satellites.¹

On July 18, 2003, Astrolink submitted a copy of a contract executed in January 2003 with Northrup Grumman Space and Mission Systems Corporation for two satellites. The documentation submitted by Astrolink indicates, however, that two separate stop-work orders were subsequently issued.² The first, issued shortly after the contract was executed was in effect for over three-months, and the second, dated June 25, 2003, is still in effect, indicating that the contract has been active only for limited period of time. As noted above, in reviewing contracts for milestone compliance, the Commission considers whether the satellites will be built within the time frame specified in the authorization. Further, the Commission's non-contingent requirement contemplates no significant delays between the execution of the contract and the commencement of construction. In this regard, we do not have enough

¹ Astrolink International LLC, *Memorandum Opinion and Order*, 17 FCC Rcd 11267 (Sat. Div., Int'l Bur. 2002).

² We also note that Astrolink submitted an executed copy of its contract with Lockheed Martin Corporation for the spacecraft buses. This contract is also under a stop-work order.

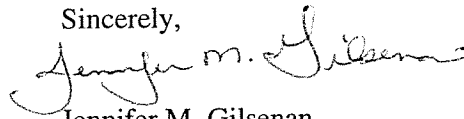
information to conclude that Astrolink is in compliance with the construction commencement milestone. Consequently, we ask Astrolink to provide the following information:

- 1) Reason(s) why the stop work orders were issued and the conditions necessary to resume work under the contract.
- 2) The date and amount of payments made under the contract.
- 3) Documentation that Astrolink will be able to meet its launch and operation milestones for both satellites under contract, including a milestone schedule accounting for the stop-work orders.

In addition, Astrolink recently filed a modification application relinquishing two of its five orbital locations, retaining the 97° W.L, 2° E.L., and 130° W.L. orbital locations, and stating that its system will consist of two satellites. While Astrolink has stated that one satellite will be located at the 97° W.L. orbital location, it has not specified the location of the second satellite. Therefore, we request that Astrolink notify the Commission of the location of its second satellite and state its plan regarding the use of the third orbital location.

This information must be filed with the Commission's Secretary by October 31, 2003, with a courtesy copy to Alyssa Roberts of my staff. Failure to provide this information by this date will render Astrolink's Ka-band license null and void. Please call Alyssa Roberts at 418-7276 if you have any questions.

Sincerely,



Jennifer M. Gilson

Chief

Policy Branch, Satellite Division

cc: Karis Hastings, Esq.