

DEC 22 2000

DUPLICATE

Satellite and

December 14, 2000

Delivery Via Courier to Mellon Bank

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals II
445 12th Street, SW
Washington, DC 20554

**RE: Motient Services Inc. (formerly known as AMSC Subsidiary Corporation)
File No. SAT-LOA-19980702-00066
Amendment to Pending Application for Authority to
Launch and Operate a Second Generation Mobile Satellite System**

Dear Ms. Salas:

Filed herewith on behalf of Motient Services Inc. ("Motient," formerly known as AMSC Subsidiary Corporation) are an original and nine (9) copies of an application on FCC Form 312 for an amendment to its pending application for authority to launch and operate a second-generation Mobile Satellite System to request an additional 150 MHz in each direction, for a total of an additional 250 MHz in each direction, for feeder links in the following bands: 12.75-13.00 GHz (Earth-space) and 11.2-11.45 GHz (space-Earth). Motient is currently authorized to use 200 MHz in each direction for feeder links in the following bands: 13.0-13.15 GHz, 13.2-13.25 GHz (Earth-space) and 10.75-10.95 GHz (space-Earth).

Also attached are a check in the amount of \$1335 made payable to the FCC to cover the required filing fee and an FCC Form 159. This application is filed with a facsimile signature. An original signature page will be filed shortly. If there should be any questions regarding this application, please contact the undersigned.

Respectfully submitted,



Bruce D. Jacobs
David S. Konczal

Approved by OMB
3060-0678
Est. Avg. Burden Hours
Per Response: 11 Hrs.

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SATELLITE SPACE AND EARTH STATION AUTHORIZATIONS

| |
|---------------------|
| FCC Use Only |
| File Number: |
| Call Sign: |
| Fcc Number: |

APPLICANT INFORMATION

| | | | |
|---------------------------------------------------------------------------------------|--|-----------------------------------------------------|------------------------------|
| 1. Legal Name of Applicant Motient Services Inc. | | 2. Voice Telephone Number (703) 758-6000 | |
| 3. Other Name Used for Doing Business (if any) | | 4. Fax Telephone Number (703) 758-6111 | |
| 5. Mailing Street Address or P.O. Box 10802 Parkridge Boulevard | | 6. City Reston | 8. Zip Code 20191 |
| ATTENTION: Lon C. Levin | | 7. State /Country (if not U.S.A.) VA | |
| 9. Name of Contact Representative (If other than applicant) Bruce D. Jacobs | | 10. Voice Telephone Number (202) 663-8000 | |
| 11. Firm or Company Name Shaw Pittman | | 12. Fax Telephone Number (202) 663-8007 | |
| 13. Mailing Street Address or P.O. Box 2300 N Street, N.W. | | 14. City Washington | 16. Zip Code 20037 |
| ATTENTION: | | 15. State /Country (if not U.S.A.) DC | |

CLASSIFICATION OF FILING

17. Place an "X" in the box next to the classification that applies to this filing for both questions a. and b. Mark only one box for 17a and only one box for 17b.

| | | |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> a1. Earth Station | <input type="checkbox"/> b1. Application for License of New Station | <input type="checkbox"/> b6. Transfer of Control of License or Registration |
| <input checked="" type="checkbox"/> a2. Space Station | <input checked="" type="checkbox"/> b2. Application for Registration of New Domestic Receive-Only Station | <input type="checkbox"/> b7. Notification of Minor Modification |
| <input type="checkbox"/> b3. Amendment to a Pending Application | <input type="checkbox"/> b4. Modification of License or Registration | <input type="checkbox"/> b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite |
| <input type="checkbox"/> b5. Assignment of License or Registration | <input type="checkbox"/> b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States | <input type="checkbox"/> b10. Other (Please Specify): |

18. If this filing is in reference to an existing station, enter:
Call sign of station: **S23358**

19. If this filing is an amendment to a pending application enter:
(a) Date pending application was filed: **July 2, 1998**
(b) File number of pending application: **SAT-IOA-19980702-00066**

TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s). Place an "X" in the box(es) next to all that apply.

- a. Fixed Satellite c. Radiodetermination Satellite e. Direct to Home Fixed Satellite
 b. Mobile Satellite d. Earth Exploration Satellite f. Digital Audio Radio Service g. Other (please specify) _____

21. STATUS: Place an "X" in the box next to the applicable status. Mark only one box.

- a. Common Carrier b. Non-Common Carrier

22. If earth station applicant, place an "X" in the box(es) next to all that apply.

- a. Using U.S. licensed satellites b. Using Non-U.S. licensed satellites

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Mark only one box. Are these facilities:

- a. Connected to the Public Switched Network b. Not connected to the Public Switched Network

24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).

- a. C-Band (4/6 GHz) c. Other (Please specify) Feeder Links: 12.75-13.25 GHz; 10.75-10.95 GHz; 11.20-11.45 GHz
 b. Ku-Band (12/14 GHz)

TYPE OF STATION

25. CLASS OF STATION: Place an "X" in the box next to the class of station that applies. Mark only one box.

- a. Fixed Earth Station b. Temporary-Fixed Earth Station c. 12/14 GHz VSAT Network d. Mobile Earth Station e. Space Station f. Other _____
 If space station applicant, go to Question 27.

26. TYPE OF EARTH STATION FACILITY: Mark only one box.

- a. Transmit/Receive b. Transmit-Only c. Receive-Only N/A

PURPOSE OF MODIFICATION OR AMENDMENT

27. The purpose of this proposed modification or amendment is to: Place an "X" in the box(es) next to all that apply.

- | | |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | a -- authorization to add new emission designator and related service |
| <input type="checkbox"/> | b -- authorization to change emission designator and related service |
| <input type="checkbox"/> | c -- authorization to increase EIRP and EIRP density |
| <input type="checkbox"/> | d -- authorization to replace antenna |
| <input type="checkbox"/> | e -- authorization to add antenna |
| <input type="checkbox"/> | f -- authorization to relocate fixed station |
| <input type="checkbox"/> | g -- authorization to change assigned frequency(ies) |
| <input type="checkbox"/> | h -- authorization to add Points of Communication (satellites & countries) |
| <input type="checkbox"/> | i -- authorization to change Points of Communication (satellites & countries) |
| <input type="checkbox"/> | j -- authorization for facilities for which environmental assessment and radiation hazard reporting is required |
| <input checked="" type="checkbox"/> | k -- Other (Please Specify) <u>Molient seeks to amend its pending application to request additional spectrum for feederlinks.</u> |

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307?

If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules; 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application.

- YES NO

A Radiation Hazard Study must accompany all applications as an exhibit for new transmitting facilities, major modifications, or major amendments. Refer to OET Bulletin 65.

ALIEN OWNERSHIP

- 29. Is the applicant a foreign government or the representative of any foreign government? YES NO
- 30. Is the applicant an alien or the representative of an alien? YES NO
- 31. Is the applicant a corporation organized under the laws of any foreign government? YES NO
- 32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country? YES NO
- 33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country? YES NO
- 34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit, the identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote. N/A

BASIC QUALIFICATIONS

- 35. Does the applicant request any waivers or exemptions from any of the Commission's Rules? YES NO
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents. See Exhibit A
- 36. Has the applicant or any party to this application had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of the circumstances. YES NO
- 37. Has the applicant, or any party to this application, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of the circumstances. YES NO
- 38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of the circumstances. YES NO
- 39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the proceeding two items? If Yes, attach as an exhibit, an explanation of the circumstances. YES NO
- 40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, addresses, and citizenship of those stockholders owning of record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary (ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer. See Exhibit C
- 41. By checking Yes, the undersigned certifies, that neither the applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(d) for the meaning of "party to the application" for these purposes. YES NO
- 42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? YES NO
If yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. § 25.137, as appropriate.
If no, proceed to question 43.
- 42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station? N/A

Response to Question 35

Motient Services Inc. hereby requests a waiver of Footnote NG104 to the U.S. Table of Frequency Allocations which restricts Fixed Satellite Service ("FSS") use of the 12.75-13.25 GHz and 10.7-11.7 GHz bands to international service only. 47 C.F.R. § 2.106, Footnote NG104.

The Commission has granted Motient a waiver of NG104 and authorized it to use a total of 200 MHz in each direction for the feeder links of its satellite at 101° WL in the following bands: 13.0-13.15, 13.2-13.25 GHz (Earth-space) and 10.75-10.95 GHz (space-Earth).¹ In granting Motient a waiver of NG104, the Commission emphasized that Motient's proposed feeder link operations were generally consistent with recognized FSS use of the 13/11 GHz band; that a waiver would still allow for continued FSS use of these frequencies, consistent with the international allotment plan; and that a waiver would allow the U.S. MSS system to utilize the same frequency band for feeder links as the Canadian MSS system, thereby fostering intergovernmental cooperation in implementing MSS.² These factors still warrant a waiver today. In addition, Motient's proposed operations will not substantially increase the number of FSS earth stations operating in the 13/11 GHz band. This is consistent with the Commission's policy of limiting the number of FSS earth stations operating in the 13/11 GHz band to enable sharing of this band with FS.

Thus, Motient requests a waiver of Footnote NG104 to the U.S. Table of Frequency Allocations to use an additional 250 MHz in both the 12.75-13.00 GHz and 11.2-11.45 GHz bands for feeder link operations, in addition to its currently authorized 200 MHz in each direction for feeder links in the 13.0-13.15, 13.2-13.25 GHz (Earth-space) and 10.75-10.95 GHz (space-Earth) bands.

¹Memorandum Opinion, Order and Authorization, 4 FCC Rcd 6041, ¶¶ 64-72 (1989) (authorizing Motient to use 100 MHz in each direction in these frequencies); AMSC Subsidiary Corporation, Memorandum Opinion and Order, 8 FCC Rcd 4040, ¶ 43 (1993) (authorizing Motient to use an additional 100 MHz, for a total of 200 MHz, in each direction in these frequencies).

²4 FCC Rcd 6041, ¶ 70.

Response to Question 37

Felony Convictions

Hughes Communications Satellite Services, Inc. (“HCSSI”) is a minority shareholder of Motient. In 1990 and 1992, HE Holdings, Inc. (formerly known as Hughes Aircraft Company), a second-tier parent of HCSSI, pleaded guilty to or was found guilty of felony offenses for conduct unrelated to HCSSI’s FCC and communications-related activities. For further information regarding these felony matters, please refer to HCSSI’s FCC Form 430s filed with the Commission.

The conduct leading to HE Holdings, Inc.’s guilty plea or finding of guilt was not related to FCC or communications-related matters. In addition, as a second-tier parent of a minority shareholder of Motient, HE Holdings, Inc. will have no control over Motient or Motient Services Inc., nor any of their operations. Further, the Commission has granted other applications of Motient Services Inc. and found Motient and its subsidiaries qualified to be Commission licensees notwithstanding the actual or alleged involvement of HE Holdings, Inc.

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING
(1) LOCKBOX # 358210

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

APPROVED BY OMB 3060-0589

PAGE NO. 1 OF 1

SPECIAL USE
FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)
Shaw Pittman
(3) TOTAL AMOUNT PAID (dollars and cents)
\$ 1,335.00
(4) STREET ADDRESS LINE NO. 1
2300 N Street, NW
(5) STREET ADDRESS LINE NO. 2
(6) CITY
Washington
(7) STATE
DC
(8) ZIP CODE
20037
(9) DAYTIME TELEPHONE NUMBER (include area code)
(202) 663-8000
(10) COUNTRY CODE (if not in U.S.A.)

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

SECTION B - APPLICANT INFORMATION

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)
Motient Services Inc.
(12) STREET ADDRESS LINE NO. 1
10802 Parkridge Boulevard
(13) STREET ADDRESS LINE NO. 2
(14) CITY
Reston
(15) STATE
VA
(16) ZIP CODE
20191
(17) DAYTIME TELEPHONE NUMBER (include area code)
(703) 758-6000
(18) COUNTRY CODE (if not in U.S.A.)

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)

SECTION C - PAYMENT INFORMATION

(19A) FCC CALL SIGN/OTHER ID (20A) PAYMENT TYPE CODE (PTC) (21A) QUANTITY (22A) FEE DUE FOR (PTC) IN BLOCK 20A
C W Y 1 \$ 1,335.00
(23A) FCC CODE 1 (24A) FCC CODE 2
(19B) FCC CALL SIGN/OTHER ID (20B) PAYMENT TYPE CODE (PTC) (21B) QUANTITY (22B) FEE DUE FOR (PTC) IN BLOCK 20B
(23B) FCC CODE 1 (24B) FCC CODE 2
(19C) FCC CALL SIGN/OTHER ID (20C) PAYMENT TYPE CODE (PTC) (21C) QUANTITY (22C) FEE DUE FOR (PTC) IN BLOCK 20C
(23C) FCC CODE 1 (24C) FCC CODE 2
(19D) FCC CALL SIGN/OTHER ID (20D) PAYMENT TYPE CODE (PTC) (21D) QUANTITY (22D) FEE DUE FOR (PTC) IN BLOCK 20D
(23D) FCC CODE 1 (24D) FCC CODE 2

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25) PAYER TIN 0530233137 (26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2
APPLICANT TIN 0521735106

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT
I, _____, Certify under penalty of perjury that the foregoing and supporting information are true and correct to the best of my knowledge, information and belief. SIGNATURE _____
(PRINT NAME)

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28) MASTERCARD/VISA ACCOUNT NUMBER: _____ EXPIRATION DATE: _____
MASTERCARD MONTH YEAR
VISA I hereby authorize the FCC to charge my VISA or MASTERCARD AUTHORIZED SIGNATURE DATE
for the service(s)/authorization(s) herein described.