Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	File Nos.
Mobile Satellite Ventures Subsidiary LLC	)	SAT-LOA-19980702-00066
	)	SAT-LOA-20030827-00174
	)	
	)	

MOTION TO DESIGNATE PROCEEDINGS AS "PERMIT-BUT-DISCLOSE"

Mobile Satellite Ventures Subsidiary LLC ("MSV") hereby requests that the Commission designate as "permit-but-disclose" the *ex parte* status of the above-captioned proceedings regarding the determination of MSV's compliance with its initial milestones for two FCC-authorized satellites, MSV-SA and MSV-1.[1] On April 21, 2006, the International Bureau determined that MSV met its initial milestones for the two satellites.[2] Subsequently, Inmarsat Ventures Limited ("Inmarsat") filed a Petition for Reconsideration of that determination alleging, *inter alia*, that MSV's initial payments did not demonstrate a firm commitment to construct, launch, and operate the authorized satellites and that MSV's termination liability provisions permitted MSV to cancel its satellite contract without penalty.[3]

The issues raised by Inmarsat involve important legal and policy questions regarding enforcement and interpretation of the Commission's milestone requirements, and the resolution of these issues will have broad implications beyond the instant proceedings. A "permit-but-disclose" *ex parte* status will facilitate discussion of these issues. Additionally, the requested

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[1] Pursuant to the Commission's rules, "[w]here the public interest so requires in a particular proceeding, the Commission and its staff retain the discretion to modify the applicable *ex parte* rules by order, letter, or public notice." 47 C.F.R. § 1.1200(a).

[2] *See* Public Notice, Report No. SAT-00356, DA 06-918, at 2 (April 21, 2006).

[3] *See* Petition for Reconsideration (May 22, 2006).

action is consistent with numerous decisions in which the FCC modified the *ex parte* status of milestone compliance proceedings to "permit-but-disclose."[4] For these reasons, the FCC should grant MSV's motion.

Respectfully submitted,

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May 31, 2006

[4] *See, e.g.,* Stamp Grant, Request to Modify Ex Parte Status, File Nos. SAT-LOI-19970926-00161 *et al.* (April 8, 2003); Public Notice, Report No. SAT-00125 (October 30, 2002).

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO DESIGNATE PROCEEDINGS AS "PERMIT-BUT-DISCLOSE" was sent via U.S. mail, first-class or by hand-delivery (*), on this 31st day of May 2006, to the following:

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