



Federal Communications Commission
Washington, DC 20554

International Bureau

May 18, 2007

Mr. David M. Drucker
ATCONTACT Communications, LLC
2539 North Highway 67
Sedalia, CO 80135

Re: ATCONTACT Communications, LLC
SAT-LOA-19971222-00222
SAT-LOA-20040322-00234/35/36/37
Call Signs: S2346, S2680, S2681, S2682,
S2683

Dear Mr. Drucker:

This letter refers to ATCONTACT Communications, LLC's (ATCONTACT) recent filings to demonstrate compliance with its milestones to execute non-contingent satellite manufacturing contracts for its Ka-band satellite systems.

Pursuant to its authorization, ATCONTACT was required to enter into a binding non-contingent contract to construct its non-geostationary satellite orbit (NGSO) satellites by April 15, 2007.¹ ATCONTACT timely submitted a contract in support of its certification that it had met this milestone. We have reviewed ATCONTACT's filing and determined that there is a discrepancy between ATCONTACT's NGSO Ka-band system authorization and the contract. Specifically, the authorization, as modified, authorizes ATCONTACT to operate in the 28.6-29.1 GHz (uplink) and 18.8-19.3 GHz (downlink) frequency bands on a primary basis, the 29.5 -30.0 GHz (uplink) frequency band on a secondary basis, and the 19.7-20.2 GHz (downlink) frequency band on a non-conforming basis.²

ATCONTACT's contract, however, shows the satellite will also operate in the 28.35-28.60 GHz and 29.25-29.50 GHz (uplink) frequency bands, and the 18.3-18.8 GHz (downlink) frequency bands.³ Please explain the disparity between ATCONTACT's authorization and its construction contract. If, in fact, ATCONTACT intends to operate its NGSO system in the additional frequencies specified in the contract, ATCONTACT must file an application to modify its authorization.

¹ ContactMEO Communications, LLC, *Order and Authorization*, 21 FCC Rcd 4035, 4057 (2006) (*ATCONTACT Authorization*).

² ATCONTACT Authorization, 21 FCC Rcd at 4056-57.

³ Contract between ATCONTACT Communications, LLC and Space Systems/Loral for NGSO satellites, Exhibit A, 3.1.1 and 3.2.1 (filed April 13, 2007) (*ATCONTACT NGSO Contract*).

In addition, the contract provides that payments are due upon completion of the milestones specified in Exhibit F.⁴ This exhibit, however, fails to specify the milestones.⁵ Consequently, to assist us in determining whether ATCONTACT has met the construction contract milestone for its NGSO constellation, please resubmit Exhibit F of the NGSO contract with the payment plan milestones included. Further, we find the same deficiency in Exhibit F of the contract filed by contract filed by ATCONTACT for the construction of its geostationary satellite orbit (GSO) satellites.⁶ This contract was also filed pursuant to the condition in its authorization to execute a non-contingent satellite manufacturing contract.⁷ Accordingly, please resubmit Exhibit F of the GSO contract with the payment plan milestones included.

Please submit your response to this letter, including any modification applications to address the frequencies listed in ATCONTACT's NGSO contract, to the Commission's Secretary by June 8, 2007, with a courtesy copy to Alyssa Roberts of my staff: Alyssa.Roberts@fcc.gov.

Sincerely,



Robert G. Nelson
Chief,
Satellite Division

⁴ *ATCONTACT NGSO Contract*, Article 5.

⁵ *ATCONTACT NGSO Contract*, Exhibit F.

⁶ Contract between ATCONTACT Communications, LLC and Space Systems/Loral for GSO satellites, Article 5, and Exhibit F (filed April 13, 2007).

⁷ *ATCONTACT Authorization*, 21 FCC Rcd at 4057.