

* Extension of Time to File Bonds Only

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



SAT-LOI-20160308-00025
File # SAT-LOI-20160308-00026
S2957
Call Sign S2958 Grant Date 02/09/17
(or other identifier)
Term Dates
From 02/10/17 To: 02/24/17
Approved: *Stephen J. Dwall*
Stephen J. Dwall
Chief, Satellite Policy Br

In the Matter of

Spectrum Five LLC Petition for Declaratory Ruling To Provide Service from 110.9

Spectrum Five LLC Petition for Declaratory Ruling To Provide Service from 115

SAT-LOI-20160308-00025

SAT-LOI-20160308-00026

FURTHER RENEWED MOTION FOR EXTENSION OF TIME

In December 2015, the Commission comprehensively revised its milestone and bond rules.¹ Those rules took effect on September 19, 2016.² On October 5, 2016, the Commission granted Spectrum Five's applications for satellite space station authorizations, seeking to provide service from 110.9° W.L. and 115° W.L.³ Under those rules, and the conditions on the licenses, Spectrum Five was initially required to post surety bonds that comply with newly adopted 47 C.F.R. § 25.165(a)(2) & (b) by November 4, 2016. On November 2, 2016, November 18, 2016, December 2, 2016, December 16, 2016, and January 12, 2017, the Commission granted Spectrum Five's motions for extension of time or, in the alternative, for waiver, and through

¹ See Second Report and Order, *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, 30 FCC Rcd 14713, ¶¶ 49-85 (2015) ("Satellite Rules Order").

² See Public Notice, *International Bureau Announces Effective Date of Rules Adopted in the Part 25 Second Report and Order*, 31 FCC Rcd 9807 (2016).

³ See Stamp Grant, *Spectrum Five LLC Petition for Declaratory Ruling to Provide Service from 110.9*, SAT-LOI-20160308-00025 (Oct. 5, 2016); Stamp Grant, *Spectrum Five LLC Petition for Declaratory Ruling to Provide Service from 115*, SAT-LOI-20160308-00026 (Oct. 5, 2016).

those grants has extended to February 10, 2017 the due date for Spectrum Five to post those surety bonds.

In its motions, Spectrum Five identified the need for further guidance on terms of a surety bond that will comply with the Commission's new rules. The Commission issued that guidance on January 18, 2017.⁴ Since that date, Spectrum Five has worked diligently with Marsh & McLennan Companies and Chubb Limited to conform its surety bonds to that guidance. Spectrum Five renews its motion for an extension of the due date to February 24, 2017, in order to continue those efforts.

As Spectrum Five has explained in its prior motions, the extension and waiver Spectrum Five seeks will not alter either its surety bond obligations under 47 C.F.R. § 25.165(a)(2) or its launch milestone date under § 24.164(a). That is, both the minimum value of the bond required under § 25.165(a)(2) and the launch milestone date under § 25.164(a) will continue to be calculated from the date of the license grants (October 5, 2016).

For the foregoing reasons, the Commission should extend the deadline for the posting of surety bonds for these two licenses to February 24, 2017, or should waive 47 C.F.R. § 25.165(a) and Condition 4.a of each license grant to permit the posting of those surety bonds on or before that date.

⁴ See Public Notice, *International Bureau Clarifies Procedures for Maintaining Satellite Space Station Surety Bonds Pursuant to Escalating Bond Requirements*, DA 17-81 (Jan. 18, 2017).

Respectfully submitted,

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