



File # SAT Mod 20031118-00333
SAT AMD 2003 1118-00332
 Call Sign 358 Grant Date 12/2/03
 (or other identifier) AmSC-1
 Term Dates
 From _____ To: (Before the)
FEDERAL COMMUNICATIONS COMMISSION
 Approved _____ Washington, D.C. 20554

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In the Matter of

Mobile Satellite Ventures Subsidiary LLC

Application for Minor Modification of Space Station License (AMSC-1)

Minor Amendment to Pending Application to Launch and Operate a Next-Generation Replacement MSS Satellite System (SAT-ASG-20010302-00017 et al)

Application for a Minor Modification of Blanket License to Operate Mobile Earth Terminals with MSAT-1

Int'l Bureau

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Front Office

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

) File No. SAT-MOD-20031118-00333

) File No. SAT-AMD-20031118-00332

) File No. _____

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

Mobile Satellite Ventures Subsidiary LLC ("MSV") hereby requests that the Commission designate the *ex parte* status of the above-captioned proceedings as "permit-but-disclose."

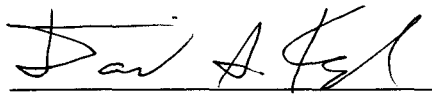
Pursuant to the Commission's rules, "[w]here the public interest so requires in a particular proceeding, the Commission and its staff retain the discretion to modify the applicable *ex parte* rules by order, letter, or public notice." 47 C.F.R. § 1.1200(a). The proceedings involve three identical applications filed by MSV on November 18, 2003 for authority to add an Ancillary Terrestrial Component ("ATC") to the existing and planned L-band Mobile Satellite Service ("MSS") systems of MSV and Mobile Satellite Ventures (Canada) Inc. ("MSV Canada").

Specifically, to add ATC authority, MSV has requested a minor modification of the license for its current-generation satellite, a minor amendment of its pending application to launch and operate a next-generation replacement MSS satellite, and a minor modification to a blanket mobile earth terminal license it holds to access the foreign-licensed satellite of MSV Canada.

The applications involve complex technical issues, for which the free exchange of views, particularly with Commission engineers, will be useful in creating a more complete record.¹ Further, permit-but-disclose status is consistent with the *ex parte* status of related ATC proceedings. Specifically, the Commission has already designated MSV's pending replacement satellite application, in which MSV initially proposed to operate ATC, as permit-but-disclose.² Moreover, the pending ATC rulemaking proceeding, with which many of the issues raised in MSV's ATC application are intertwined, is a permit-but-disclose proceeding under the Commission's rules.³

Based on the foregoing, MSV respectfully requests that the Commission designate the *ex parte* status of the above-captioned proceedings as "permit-but-disclose."

Respectfully submitted,



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November 19, 2003

¹See, e.g., *Public Notice*, Report No. SPB-136 (August 25, 1998) (relaxing *ex parte* status of L-band earth station applications because it will "assist the Commission in developing a complete record on which a well-reasoned decision can be made").

²See *Public Notice*, Report No. SPB-170 (June 26, 2000).

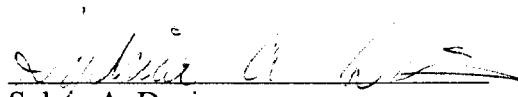
³47 C.F.R. § 1.1206; see *Flexibility for Delivery of Communications by MSS Providers, Notice of Proposed Rulemaking*, IB Docket No. 01-185, 16 FCC Rcd 15532, ¶ 84 (2001); *Flexibility for Delivery of Communications by MSS Providers, Report and Order*, IB Docket No. 01-185, 18 FCC Rcd 1962 (2003) ("*ATC Order*") (petitions for reconsideration pending).

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO DESIGNATE PROCEEDINGS AS "PERMIT-BUT-DISCLOSE" was sent via hand-delivery on this 19th day of November 2003, to the following:

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