

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

FILED/ACCEPTED
JUN - 6 2008
Federal Communications Commission
Office of the Secretary

In re the Application of)	
)	
ATCONTACT COMMUNICATIONS, LLC)	File Nos. SAT-MOD-20080226-00052
)	SAT-AMD-20080505-00098
For a Modification of License to Relocate its)	
GSO Satellite from 121° W.L. to 115° W.L.)	Callsign S2681
)	

RESPONSE

AtContact Communications, LLC (“AC”) submits this Response to the Comments filed by ViaSat, Inc. (“ViaSat”) in the above-referenced proceeding by which AC seeks to relocate its licensed satellite from 121° W.L. to nominally 115° W.L. In short, ViaSat seeks special language in any grant to AC that specifically identifies a foreign-licensed entity for mandatory international coordination.

As correctly stated by ViaSat, AC is the licensee of a satellite system in the Ka-band that includes both geostationary (“GSO”) and non-stationary (“NGSO”) satellites.¹ That license contains a number of conditions in its Ordering Clauses. Among them are several that require deference to other operations, domestic and international:

1. Paragraph 64: “. . . contactMEO shall not cause harmful interference to any authorized space station operating in compliance with the Table of Allocations and the Ka-band plan, or authorized Federal FSS GSO or NGSO system.”

¹ *Order and Authorization, In the Matter of ContactMEO Communications, LLC, For Authority to Launch and Operate a Non-Geostationary Orbit Fixed-Satellite System in the Ka-band Frequencies*, DA 06-864 (rel. April 14, 2006) (“Order”). Among the orbital slots assigned to AC is 121° W.L. that AC seeks to relocate for reasons of improved service to subscribers, as discussed in its application. contactMEO Communications, LLC changed its name to AtContact Communications, LLC.

2. Paragraph 66, AC “. . . shall not cause harmful interference to any authorized non-Federal or Federal station authorized to use the 18.8-19.3 GHz frequency (downlink) band. In addition, ContactMEO shall not cause harmful interference to any authorized non-Federal space station operating in compliance with the Table of Allocations and the Ka-band band plan, or authorized Federal FSS GSO or NGSO system. . . .”
3. Paragraph 69: AC “must coordinate its Ka-band downlink operations with U.S. Federal systems, including Federal operations to earth stations in foreign countries, in accordance with footnote US 334 to the Table of Frequency Allocations, 47 C.F.R. § 2.106. In addition to meeting the terms of the coordination agreement, the non-conforming contactMEO GSO operations at 18.8-19.3 GHz and NGSO operations at 19.7-20.2 GHz, shall not cause harmful interference to, nor claim protection from, present and future Federal, non-Federal, International GSO and NGSO systems or any non-conforming services previously authorized on a non-harmful interference basis.”
4. Paragraph 73: AC must “coordinate with specific earth stations in geostationary-satellite networks in the fixed-satellite service, either within the U.S. for domestic service or any points outside the U.S. for international service. . . .”
5. Paragraph 75 also requires AC to prepare the materials for international coordination and notification in accordance with the ITU Radio Regulations. “No protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination and notification procedures are timely completed or, with respect to individual administrations, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments of other administrations.”²

Conditioning a United States satellite license on successful coordination with a named foreign network would create the curious precedent of supplanting a perfectly sufficient general requirement supported by rule and practice with one that is company or foreign nation-specific. The requirement for coordination with ViaSat’s partner on the Isle of Man is achieved with the existing language in Commission licenses and Parts 2 and 25 of

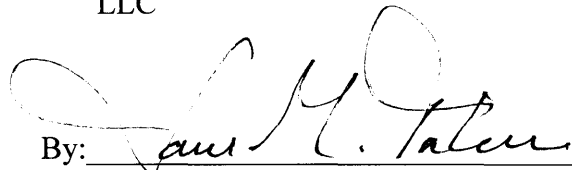
² See also para. 52 of the Order.

the Commission's rules. Certainly, AC has no objection to that kind of requirement, a practice that fully protects ViaSat and the Isle of Man system.

In sum, the additional condition language suggested by ViaSat in its Comments is simply unnecessary. There are myriad existing rules, international requirements and consistently applied Commission licensing practices to assure coordination with any foreign entity seeking to use the same spectrum at the same orbital location.

Respectfully submitted,

ATCONTACT COMMUNICATIONS,
LLC

By: 
James M. Talens

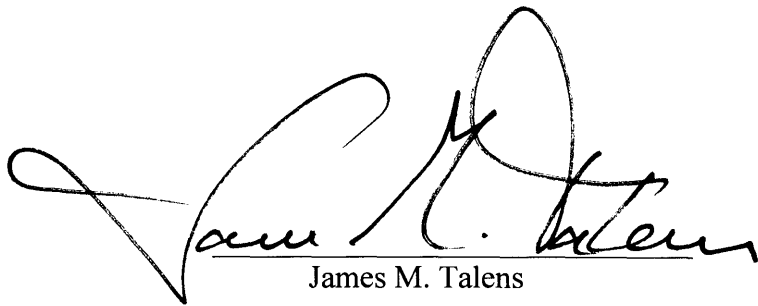
Its Counsel
6017 Woodley Road
McLean, VA 22101
703.241.1144
jtalens@verizon.net

June 6, 2008

CERTIFICATE OF SERVICE

I, James M. Talens, do hereby certify that on this 6th day of June, 2008, I sent by U.S. first-class, postage prepaid mail, a copy of the foregoing to the following:

John P. Janka
Elizabeth R. Park
Jarrett S. Taubman
Latham & Watkins LLP
555 Eleventh Street, NW
Suite 1000
Washington, DC 20004



James M. Talens