

COPY

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

FILED/ACCEPTED

SEP 22 2008

Federal Communications Commission
Office of the Secretary

In the Matter of)	
)	
TerreStar Networks Inc.)	File No. SAT-MOD-20080718-00143
)	
Application for Modification of 2 GHz)	Call Sign S2633
Mobile Satellite Service Letter of Intent)	
Authorization)	
)	

COMMENTS

New ICO Satellite Services G.P. (“ICO”), the holder of a 2 GHz mobile satellite service (“MSS”) letter of intent (“LOI”) authorization, supports the grant of the above-captioned application (“Application”) filed by TerreStar Networks, Inc. (“TerreStar”).

In its Application, TerreStar requests an extension of the milestone deadlines for launching its satellite and certifying its system operational to June 30 and August 30, 2009, respectively.¹ TerreStar states that construction of its satellite is nearly complete and that the underlying construction delay is due to unforeseeable circumstances beyond its control.²

The Commission has a longstanding policy of granting milestone extensions when the delay is due to “circumstances beyond the licensee’s control” and particularly when those circumstances involve “unanticipated technical problems with a satellite under construction.”³ Additionally, the Commission has considered “the extent of a satellite’s construction and the amounts paid toward the total contract price” as factors in granting

¹ See TerreStar Application, Exh. 1, at 1 (July 18, 2008).

² *Id.*

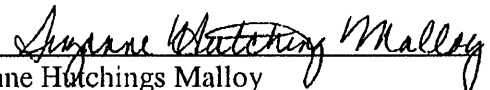
³ See *New ICO Satellite Services G.P.*, 22 FCC Rcd 2229, ¶ 15 (IB 2007).

milestone extension requests.⁴ Consistent with Commission's established milestone policy and in light of the substantial completion of TerreStar's satellite, the Commission should grant TerreStar's milestone extension request.

Respectfully submitted,

NEW ICO SATELLITE SERVICES G.P.

Cheryl A. Tritt
Phuong N. Pham
Morrison & Foerster LLP
2000 Pennsylvania Ave., NW, Suite 5500
Washington, D.C. 20006

By: 
Suzanne Hutchings Malloy
Senior Vice President, Regulatory Affairs
815 Connecticut Avenue, NW, Suite 610
Washington, D.C. 20006

Its Counsel

September 22, 2008


⁴ *Id.*

CERTIFICATE OF SERVICE

I hereby certify on this 22nd day of September 2008, a copy of the foregoing
Comments has been served via first class mail, postage pre-paid, to the following:

Douglas Brandon
TerreStar Networks, Inc.
12010 Sunset Hills Road, 9th Floor
Reston, VA 20190

Jonathan L. Wiener
Goldberg Godles Wiener & Wright
1229 19th Street, NW
Washington, DC 20036-2413
Counsel to TerreStar Networks, Inc.



Theresa Rollins