



SAT-MOD-20090429-00046  
 SAT-MOD-20090429-00047  
 File # SES-MOD-20090429-00536  
 Call Sign \_\_\_\_\_ Grant Date 10/15/09  
 (or other identifier) \_\_\_\_\_  
 Term Dates duration of proceeding  
 To: 10/15/09  
 Approved: *Stephen J. Duall*  
 Stephen J. Duall  
 Chief, Policy Branch

In the Matter of )  
 )  
 Mobile Satellite Ventures Subsidiary LLC )  
 )  
 Application for Minor Modification of Space )  
 Station License (AMSC-1) )  
 )  
 Application for Minor Modification of Space )  
 Station License (MSV-1) )  
 )  
 Application for Minor Modification of Blanket )  
 License to Operate Mobile Earth Terminals )  
 (MSAT-1) )

File No. SAT-MOD-20090429-00047  
 File No. SAT-MOD-20090429-00046  
 File No. SES-MOD-20090429-00536

**MOTION TO DESIGNATE PROCEEDINGS AS “PERMIT-BUT-DISCLOSE”**

SkyTerra Subsidiary LLC (“SkyTerra”) 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 SkyTerra’s applications and associated waiver requests to implement a ground-breaking agreement that will provide SkyTerra the flexibility it needs to deploy its licensed hybrid Mobile Satellite Service (“MSS”) – Ancillary Terrestrial Component (“ATC”) system. The proceedings raise policy issues and involve complex technical analyses regarding the use of L-band spectrum, for which the free exchange of views, particularly with Commission engineers, will be useful in creating a more complete record. SkyTerra has informed all of the parties to this proceeding of its intent to file this motion, and none of the parties stated that it had any objection. Further, changing the *ex parte* status of this proceeding would be consistent with Commission action in analogous

proceedings involving MSS-ATC systems.<sup>1</sup> Based on the foregoing, SkyTerra respectfully requests that the Commission designate the *ex parte* status of the above-captioned proceedings as “permit-but-disclose.”

Respectfully submitted,

\_\_\_\_\_  
/s/

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August 28, 2009

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<sup>1</sup> *See, e.g.*, Stamp Grant, File Nos. SES-LIC-20071203-01646, SES-AMD-20080118-00075, SES-AMD-20080219-00172 (granted May 13, 2008) (changing *ex parte* status of the ATC application of New ICO Satellite Services G.P. to permit-but-disclose in order to “facilitate the resolution of the complex policy issues raised by the application”); Stamp Grant, File Nos. SES-AMD-20070907-01253, SES-AMD-20070723-00978 (granted May 20, 2008) (modifying *ex parte* status of proceedings involving TerreStar Network Inc.’s request for waiver of various ATC rules to “facilitate resolution of the complex policy issues raised by the application”); Public Notice, SPB-226, DA 08-1217 (May 28, 2008) (stating that the proceeding involving the ATC modification application of Globalstar Licensee LLC would be treated as permit-but-disclose).

## CERTIFICATE OF SERVICE

I, Sylvia A. Davis, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 28th day of August 2009, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

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\_\_\_\_\_/s/  
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