

## EXHIBIT B

### RESPONSE TO DISMISSAL LETTER

On November 24, 2009, the Commission dismissed ViaSat's modification application seeking authority to operate the VIASAT-77 satellite in the 18.8-19.3 GHz and 28.6-29.1 GHz bands.<sup>1</sup> This modification application ("Current Modification Application") addresses the issues identified in the Commission's dismissal letter and is identical to the application filed on August 18, 2009 ("Prior Modification Application"), except in the following limited respects:

#### Link Budget Data and Interference Analysis.

Schedule S, item S13(g) now contains link budget calculations using representative frequencies in the 18.8-19.3 GHz and 28.6-29.1 GHz bands. The interference analysis in Section A.6 of the Supplemental Technical Annex now reflects the revised link budgets, and references to the revised link budgets have been appropriately updated throughout the Application Narrative and the Supplemental Technical Annex. The resulting analysis remains substantially the same as the analysis provided in a previously approved modification application. *See* IBFS File No. SAT-MOD-20080718-00144 (granted Mar. 25, 2009).

#### Waiver Request for Cross Polarization Isolation

The Application Narrative and the Supplemental Technical Annex now include a request to waive Section 25.210 of the Commission's rules regarding space station antenna cross-polarization isolation with respect to the specific frequencies at issue. *See* Application Narrative, Section III.C; Supplemental Technical Annex, Section A.8. Significantly, the approved design of the antennas on VIASAT-77 is unaffected by this requested modification to operate on additional frequencies. The Commission has already granted a waiver of Section 25.210 for the VIASAT-77 satellite. *See* File No. SAT-MOD-20080718-00144, Conditions of Authorization ¶ 2 (granted Mar. 25, 2009).

#### Clarification of Reference to Blanket-Licensed Terminals

The General Description in Section A.2 of the Supplemental Technical Annex describes the frequencies that different antenna types will use. The sixth sentence has been clarified to refer to the same "small user" terminals referenced earlier in that same paragraph. The interference analysis provided in Section A.7 of the Supplemental Technical Annex regarding operations at 28.6-29.1 GHz (and 18.8-19.3 GHz) is based on the operation of these small user terminals, as well as the gateway terminals. Appropriate earth station applications for

---

<sup>1</sup> *See* Letter to Counsel for ViaSat, Inc. from Deputy Chief, Satellite Division, International Bureau, re: Call Sign: S2737, DA 09-2481 (Nov. 24, 2009) ("Dismissal Letter"). This revised modification is submitted without prejudice to ViaSat's right to seek reconsideration or review of that dismissal.

both small user terminals and gateway-type terminals will be filed at a later date when all of the relevant earth station parameters have been established.<sup>2</sup>

#### Satellite Name Change

Consistent with ViaSat's notification that satellite call sign S2737 has been renamed "VIASAT-77," references to the old name, "VIASAT-KA1," have been replaced with "VIASAT-77" throughout the Application Narrative, the Supplemental Technical Annex and the Schedule S form.

#### Exhibit B

This Exhibit B has been added to explain the differences in this Current Modification Application as compared to the Prior Modification Application. No other changes have been made to the information provided in the Prior Modification Application. The Current Modification Application is being submitted without the payment of a filing fee, because this application is identical to the one dismissed, with the exception of supplying the corrected information and reflecting a name change.<sup>3</sup>

---

<sup>2</sup> See *Teledesic Corporation*, 14 FCC Rcd 2261, at ¶ 19 (issues regarding earth stations should be addressed as a part of future earth station applications).

<sup>3</sup> See Dismissal Letter at 2, n.8.