

### **FCC Form 312. Response to Question 36: Cancelled Authorizations**

Spectrum Five LLC filed a petition<sup>1</sup> seeking a declaratory ruling to extend or waive the interim construction milestone associated with the 114.5° W.L. authorization.<sup>2</sup> The International Bureau (“Bureau”) has denied this petition and cancelled Spectrum Five’s authorization for the 114.5° W.L. orbital location.<sup>3</sup> Spectrum Five LLC has also surrendered its prior 95.15° W.L. authorization.<sup>4</sup> Although Spectrum Five does not understand that Bureau action to be the kind of revocation action contemplated by Question 36, Spectrum Five is identifying that decision in response to this question out of an abundance of caution and in the effort to provide absolute candor. In all events, the Bureau’s action does not reflect on Spectrum Five’s basic qualifications, which are well-established and a matter of public record.

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<sup>1</sup> Spectrum Five LLC, *Petition for Declaratory Ruling To Modify Its Authorization to Serve the U.S. Market Using BSS Spectrum from the 114.5° W.L. Orbital Location*, IBFS File No. SAT-MOD-20101126-00245 (filed Nov. 26, 2010).

<sup>2</sup> *Spectrum Five LLC, Petition for Declaratory Ruling to Serve the U.S. Market Using Broadcast Satellite Spectrum from the 114.5° W.L. Orbital Location*, Order and Authorization, 21 FCC Rcd 14023 (2006).

<sup>3</sup> *In the Matter of Spectrum Five LLC Petition for Declaratory Ruling to Extend or Waive Construction Milestone*, Memorandum Opinion and Order, DA 11-1252 (Int’l Bur., Jul. 26, 2011); *In the Matter of Spectrum Five LLC Petition for Declaratory Ruling to Extend or Waive Construction Milestone*, Memorandum Opinion and Order, DA 15-1265 (Int’l Bur., Nov. 6, 2015).

<sup>4</sup> See Letter from David Wilson, Chairman & CEO, Spectrum Five LLC, to Marlene H. Dortch, Secretary, FCC, IBFS File Nos. SAT-LOA-20090807-00084 *et al.* (Aug. 29, 2016).