

Law Offices

1500 K Street, N.W.
Washington, DC
20005-1209

January 6, 2011

202-842-8800 phone

202-842-8465 fax

www.drinkerbiddle.com

CALIFORNIA

DELAWARE

ILLINOIS

NEW JERSEY

NEW YORK

PENNSYLVANIA

WASHINGTON DC

WISCONSIN

VIA IBFS

Ms. Mindel De La Torre
Chief, International Bureau

Ms. Ruth Milkman
Chief, Wireless Telecommunications Bureau

Mr. Julius Knapp
Chief, Office of Engineering and Technology

Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Re: Open Range Communications Inc.
Request for Extension of Special Temporary Authority
SAT-STA-20100625-00147**

Dear Ms. De La Torre, Ms. Milkman, and Mr. Knapp:

Open Range Communications Inc. ("Open Range") hereby respectfully requests extension of its existing Special Temporary Authority ("STA") for a period of 60 days commencing February 1, 2011 to continue operating on the Globalstar spectrum (2483.5 to 2495 mHz) in accordance with the terms of its existing authority to permit time for the Bureaus to act on Open Range's request for a 180 day extension of its existing authority. The facts and circumstances justifying the extension are set forth in Open Range's 180 day extension request. In summary, on September 14, 2010 the Commission denied Globalstar's request for extension of the ATC gating criteria compliance dates, but granted Open Range Special Temporary Authority to continue its operations on the Globalstar ATC spectrum for a limited period.¹ The Bureaus, in the *Open Range STA*

¹ *Globalstar Licensee LLC, Application for Modification of License to Extend Dates for Coming Into Compliance with Ancillary Terrestrial Component Rules*, File No. SAT-MOD-20091214-00152 and *Open Range Request for Special Temporary Authority*, File No. SAT-STA-20100625-00147, Order (DA 10-1740)(IB, WTB, OET)(REL. September 14, 2010); *Order on Reconsideration, Open Range Request for Special Temporary Authority*, File No. SAT-STA-20100625-00147, Released September 23, 2010 (DA 10-1801) ("Reconsideration Order").

January 6, 2011

Page 2

and *Reconsideration Order*, granted Open Range Special Temporary Authority to continue to operate and expand its network to a defined list of markets through January 31, 2011.

The *Open Range STA* and *Reconsideration Order* require Open Range to submit monthly reports on the status of its efforts to secure alternative spectrum and to comply with the other commitments made by Open Range in seeking an STA. These commitments include limiting its build-out to a defined list of markets, compliance with all limitations and restrictions in its RUS loan agreement relating to the payment of dividends and distributions, payment of lease payments that would otherwise be due to Globalstar under the parties' spectrum lease instead to the U.S. Treasury as a voluntary contribution, and the submission of monthly reports on the status of its efforts to secure alternative spectrum.

As detailed in its 180 day extension request, Open Range has complied with all of the conditions and undertakings set forth in the Bureaus' STA grant and in the letters submitted by Open Range. In light of Open Range's compliance and its substantial efforts to date in securing alternative spectrum, an extension of the Special Temporary Authority to permit time for action on Open Range's 180 day extension request is justified.

Respectfully submitted,



Open Range Communications Inc.
by its attorney
Joe D. Edge