

S2115 SAT-STA-20110106-00003 IB2011000051
Open Range Communications

File # SAT-STA-20110106-00003

Call Sign (or other identifier) Grant Date 01/20/11

Approved by OMB
3060-0678

Term Dates From 02/01/11 To 04/01/11

Date & Time Filed: Jan 6 2011 3:12:51:403PM
File Number: SAT-STA-20110106-00003
Callsign:



Approved: *Stephen J. Duall*
Stephen J. Duall
Chief, Satellite Policy Branch

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY
FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Request for 60-day extension of Special Temporary Authority


1. Applicant

Name:	Open Range Communications	Phone Number:	303-376-2113
DBA Name:		Fax Number:	303-376-2109
Street:	6430 S Fiddlers Green Circle Suite 500	E-Mail:	dan@openrange.us
City:	Greenwood Village	State:	CO
Country:	USA	Zipcode:	80111
Attention:	Mr Daniel R Vortherms		-

Attachment
Open Range Communications Inc.
Request for Extension of Temporary Authority
IBFS File No. SAT-STA-20110106-00003

The request by Open Range Communications Inc. for extension of Special Temporary Authority to continue providing terrestrial service in the 2483.5-2495 MHz frequency band for 60 days, from February 1, 2011 to April 1, 2011, IS GRANTED subject to the conditions prescribed in DA 10-1740 (rel. September 14, 2010) at Paragraph 54 and DA 10-1801 (rel. September 23, 2010) at Paragraph 5(b).

This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106 and 1.115, may be filed within 30 days of the date of the public notice announcing this action.

 GRANTED* International Bureau *with conditions	File # <u>SAT-STA-20110106-00003</u>
	Call Sign _____ Grant Date <u>01/20/11</u> (or other identifier)
	Term Dates From <u>02/01/11</u> To: <u>04/01/11</u>
	Approved: <u><i>Stephen J Duall</i></u> Stephen J. Duall Chief, Satellite Policy Branch

2. Contact	
Name: Mr Daniel R Vortherms	Phone Number: 303-376-2113
Company: Open Range Communications	Fax Number: 303-376-2109
Street: 6430 S. Fiddlers Green Circle Suite 500	E-Mail: dan@openrange.us
City: Greenwood Village	State: CO
Country: USA	Zipcode: 80111 -
Attention:	Relationship:
(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)	
3. Reference File Number SATSTA2010062500147 or Submission ID	
4a. Is a fee submitted with this application?	
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R.Section 1.1114).	
<input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee	
<input type="radio"/> Other(please explain):	
4b. Fee Classification CXW - Space Station (Non-Geostationary)	
5. Type Request	
<input type="radio"/> Change Station Location	<input checked="" type="radio"/> Extend Expiration Date <input type="radio"/> Other
6. Temporary Orbit Location	7. Requested Extended Expiration Date 2011-04-02 00:00:00.0

<p>8. Description (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)</p> <div style="border: 1px solid black; padding: 5px;"> <p>Open Range requests an extension of Special Temporary Authority to continue operating Ancillary Terrestrial Component facilities on spectrum licensed to Globalstar Licensee LLC.</p> </div>					
<p>9. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes.</p> <p style="text-align: right;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </p>					
<p>10. Name of Person Signing Dan Vortherms</p>	<p>11. Title of Person Signing VP Technology</p>				
<p>12. Please supply any need attachments.</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Attachment 1: Request</td> <td style="width: 50%;">Attachment 2:</td> </tr> <tr> <td></td> <td>Attachment 3:</td> </tr> </table>		Attachment 1: Request	Attachment 2:		Attachment 3:
Attachment 1: Request	Attachment 2:				
	Attachment 3:				
<p style="text-align: center;">WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).</p>					

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Law Offices

January 6, 2011

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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

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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