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August 19, 2011

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 180 days commencing September 29, 2011 to continue operating on the Globalstar spectrum (2483.5 – 2495 MHz) in accordance with the terms of its existing authority. 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.¹ The Bureaus, in the *Open Range STA 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. Open Range subsequently sought and received an extension to operate through September 29, 2011.

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").

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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.

Open Range has complied with all of the commitments and undertakings made by Open Range in seeking the STA. As reported in its previous extension request, as well as its monthly reports, Open Range has executed a Letter of Intent ("LOI") with one potential spectrum partner and is negotiating additional agreements with that partner. Open Range needs additional time to reach definitive agreements with this partner and plan the transition of its customer base to new spectrum. In light of Open Range's compliance with its commitments and its substantial efforts to date in securing alternative spectrum, an extension of the Special Temporary Authority previously granted is justified. Open Range's compliance efforts are detailed below.

Efforts To Secure Alternative Spectrum

Open Range's efforts to secure alternative spectrum are set forth in detail in the monthly reports Open Range filed on October 1, November 1, December 1, 2010, January 3, 2011, February 1, 2011, March 1, 2011, April 1, 2011, May 2, 2011, June 1, 2011, July 1, 2011 and August 1, 2011. Importantly, Open Range has executed an LOI with LightSquared providing for a series of agreements governing access to spectrum and other arrangements needed to implement service. The parties have exchanged draft agreements regarding access to spectrum, roaming and other matters. Recently, LightSquared announced that Sprint would be its partner in urban areas for the national buildout of its network. Open Range has been selected as LightSquared's rural partner for the buildout. In addition, Open Range has also actively pursued alternative spectrum arrangements with a variety of other potential spectrum partners. To date Open Range has conducted discussions with potential spectrum partners related to eight possible spectrum arrangements in different spectrum bands. Open Range will continue these efforts until its spectrum needs are fully met.

Compliance with Open Range Commitments

Beyond its efforts to secure alternative spectrum and to plan the transition of its customer base, Open Range has also complied with the other undertakings and commitments it made in seeking the STA. First, Open Range has agreed to make voluntary contributions to the Federal Government representing the lease payments it would have paid Globalstar

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had the leasing arrangement continued. The most recent payment was made on July 29, 2011 bringing the total payments to \$418,467.68. In addition, Open Range is in compliance with all limitations and restrictions in its RUS loan agreement related to the payment of dividends and distributions. Finally, Open Range has limited its deployment to less than the 1,816,085 households provided for in the Bureaus' grant of STA authority. As of this time, Open Range is serving 31,195 customers and its network covers approximately 1,241,000 households or approximately 3,102,000 pops.

In summary, Open Range's efforts to secure alternative spectrum are well underway as evidenced by the signing of an LOI and additional negotiations with one of its potential spectrum partners. In addition, Open Range is in compliance with all of the undertakings and commitments provided for in Open Range's request for Special Temporary Authority and the Bureaus' grant of that authority. Additional time will enable Open Range to select a spectrum partner or partners, and negotiate agreements with those partners. Affording this additional time to Open Range will serve the public interest by continuing and expanding the availability of wireless broadband services in rural areas of the United States. Wherefore, Open Range respectfully requests that the Bureaus extend Open Range's existing Special Temporary Authority for an additional 180 days. Open Range understands that it will continue to be bound by the conditions and undertakings applicable to its existing Special Temporary Authority.

Respectfully submitted,

/s/ Joe D. Edge

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